

AMENDED IN SENATE SEPTEMBER 1, 2015

AMENDED IN SENATE AUGUST 17, 2015

AMENDED IN SENATE JULY 1, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1020**

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**Introduced by Assembly Member Ridley-Thomas**

February 26, 2015

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An act to amend Sections 2000, 2101, 2103, 2106, 2114, 2115, 2119, 2120, 2139, 2140, 2150, 2155.3, 2157, 2158, 2163, 2165, 2166, 2166.5, 2166.7, 2168, 2183, 2184, 2185, 2187, 2188, 2188.1, 2188.5, 2191, 2193, 2194, 2196, 2200, 2201, 2202, 2206, 2208, 2209, 2210, 2211, 2212, 2221, 2224, 2225, 2226, 2227, 3009, 3010, 3011, 3019, 8401, 9030, ~~9031~~, 9114, 9115, 9308, 9309, 11224, 11225, 14202, 18104, and 18109 of, and to repeal Sections 2104, 2107, 2108, 2109, 2110, 2113, 2117, 2118, 2118.5, 2135, 2136, 2137, 2141, 2160, 2180, 2181, 2182, 2190, 2192, 2203, and 2204 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL’S DIGEST

AB 1020, as amended, Ridley-Thomas. Elections: voter registration.

Existing law provides that a person is entitled to register to vote if he or she is a United States citizen, a resident of California, not in prison or on parole for the conviction of a felony, and at least 18 years of age at the time of the next registration.

This bill would provide that a person is entitled to preregister to vote in an election if, among other things, that person is at least 16 years of age.

Existing law authorizes county elections officials, under specified circumstances and in order to promote and encourage voter registrations,

to deputize as registrars qualified citizens to register voters anywhere within the county.

The bill would delete this authorization and make conforming changes to related provisions of law.

Existing law requires the county elections official to accept affidavits of registration at all times except during the 14 days immediately preceding an election and requires the county elections official to accept an affidavit of registration executed as part of a voter registration card in the forthcoming election if the affidavit is executed on or before the 15th day prior to the election and if a specified circumstance applies.

The bill would delete these provisions of law.

Existing law authorizes the county elections official of any county to receive the affidavit of registration of any elector who resides or claims residence in another county in this state and provides that this method of registration is effective for all elections occurring 29 or more days after receipt of the affidavit of registration. Existing law also sets forth the acceptance procedure for the county elections official in the event a voter provides notification of a change of address.

The bill would instead specify that registration by the above-described method would be effective for an election occurring 15 or more days after receipt of the affidavit of registration by the county elections official. The bill would also modify the procedure for the acceptance of affidavits of voter registration, reregistration, or notification of a transfer of registration for an election.

Existing law authorizes any person filing with the county elections official a new affidavit of registration or reregistration to have the information relating to his or her residence address, telephone number, and email address appearing on the affidavit, or any list, roster, or index prepared therefrom, declared confidential upon a superior court order, as specified.

The bill would impose new requirements on county elections officials relating to voters moving into a new county who wish to apply for confidential voter status. By imposing new requirements on local officials, the bill would impose a state-mandated local program.

Existing law requires the county elections ~~officer~~ *official* to print a complete index and authorizes the ~~officer~~ *official* to print a continuing index, by precinct, to the affidavits of registration current at the date of printing. Each county elections official is also required to send to the Secretary of State a summary statement of the number of voters in the county.

The bill would modify these provisions of law and require that the county elections ~~officer~~ *official* provide an electronic copy of the index and of supplements to the index. The bill would also require a county elections official to provide detailed notice to the Secretary of State that specified voter information is available.

The bill would correct incorrect cross-references and delete obsolete provisions of law.

Existing law requires the county elections official to cancel voter registration at the signed, written request of the person registered, when the mental incompetency of the person registered is legally established, upon proof that the person is presently imprisoned or on parole for the conviction of a felony, upon the production of a certified copy of a judgment directing that the cancellation be made, or upon the death of the person registered.

The bill would authorize the Secretary of State to cancel a person's registration when the mental incompetency of the person registered is legally established, upon proof that the person is presently imprisoned or on parole for the conviction of a felony, and upon the death of the person registered.

In specified circumstances, existing law requires a court to determine whether a person is capable of completing an affidavit of registration or otherwise qualified to vote. If the court determines that the person is not capable of completing the affidavit or is not qualified to vote, the court is required to order the person to be disqualified from voting and to notify the county elections official. In the event a person's right to register to vote is restored, the court is required to notify the county elections official.

The bill would instead require the court to notify the Secretary of State in the event a person is disqualified from voting or his or her right to register to vote is restored.

Existing law authorizes a county elections official to send an alternate residency confirmation postcard to a voter if the voter has not voted in an election within the preceding 4 years and his or her residence address, name, or party affiliation has not been updated during that time. A county elections official is required to send a forwardable notice to a voter to enable the voter to verify or correct residency information based on change-of-address data.

The bill would modify the form and content of the alternate residency confirmation postcard and forwardable notice.

Under existing law, any deputy registrar of voters having charge of affidavits of registration is guilty of a misdemeanor who knowingly neglects or refuses to return affidavits of registration.

The bill would instead specify that any individual or organization having charge of affidavits of registration who knowingly neglects or refuses to return affidavits of registration is guilty of a misdemeanor. By creating a new crime, the bill would create a state-mandated local program.

*The bill would incorporate additional changes to Sections 2150, 2208, and 2209 of the Elections Code, proposed by SB 589, that would become operative only if SB 589 and this bill are chaptered and become effective on or before January 1, 2016, and this bill is chaptered last. The bill would also incorporate additional changes to Section 3019 of the Elections Code, proposed by AB 477, that would become operative only if AB 477 and this bill are both chaptered and become effective on or before January 1, 2016, and this bill is chaptered last.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill, *except as specified*, would become operative only if the Secretary of State certifies that the state has a statewide voter registration database that complies with the federal Help America Vote Act of 2002.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 2000 of the Elections Code is amended
- 2 to read:
- 3 2000. (a) Every person who qualifies under Section 2 of Article
- 4 II of the California Constitution and who complies with this code
- 5 governing the registration of electors may vote at any election held
- 6 within the territory within which he or she resides and the election
- 7 is held.

1 (b) Any person who will be at least 18 years of age at the time  
2 of the next election is eligible to register and vote at that election.

3 (c) Pursuant to Section 2102, any person who is at least 16 years  
4 of age and otherwise meets all eligibility requirements to vote is  
5 eligible to preregister to vote, but is not eligible to vote until he or  
6 she is 18 years of age.

7 SEC. 2. Section 2101 of the Elections Code is amended to read:

8 2101. (a) A person entitled to register to vote shall be a United  
9 States citizen, a resident of California, not imprisoned or on parole  
10 for the conviction of a felony, and at least 18 years of age at the  
11 time of the next election.

12 (b) A person entitled to preregister to vote in an election shall  
13 be a United States citizen, a resident of California, not imprisoned  
14 or on parole for the conviction of a felony, and at least 16 years  
15 of age.

16 SEC. 3. Section 2103 of the Elections Code is amended to read:

17 2103. (a) It is the intent of the Legislature that the election  
18 board of each county, in order to promote and encourage voter  
19 registrations, shall establish a sufficient number of registration  
20 places throughout the county, and outside the county courthouse,  
21 for the convenience of persons desiring to register, to the end that  
22 registration may be maintained at a high level.

23 (b) It is also the intent of the Legislature that county elections  
24 officials, in order to promote and encourage voter registrations,  
25 shall enlist the support and cooperation of interested citizens and  
26 organizations in such a way as to reach most effectively every  
27 resident of the county.

28 (c) It is also the intent of the Legislature that  
29 non-English-speaking citizens, like all other citizens, should be  
30 encouraged to vote. Therefore, appropriate efforts should be made  
31 to minimize obstacles to registration by citizens who lack sufficient  
32 skill in English to register without assistance.

33 (d) It is the intent of the Legislature that county elections  
34 officials be permitted to distribute affidavits of registration and  
35 voter registration cards, in all languages required by Section 203  
36 (52 U.S.C. Sec. 10503) or Section 4(f)(4) (52 U.S.C. Sec.  
37 10303(f)(4)) of the federal Voting Rights Act of 1965, by using  
38 the county's Internet Web site.

39 SEC. 4. Section 2104 of the Elections Code is repealed.

1 SEC. 5. Section 2106 of the Elections Code, as amended by  
2 Section 2 of Chapter 619 of the Statutes of 2014, is amended to  
3 read:

4 2106. A program adopted by a county pursuant to Section 2103  
5 or 2105, that is designed to encourage the registration of electors,  
6 shall, with respect to a printed literature or media announcement  
7 made in connection with these programs, contain this statement:  
8 “A person entitled to register to vote must be a United States  
9 citizen, a resident of California, not imprisoned or on parole for  
10 the conviction of a felony, and at least 18 years of age at the time  
11 of the election. A person may preregister to vote if he or she is a  
12 United States citizen, a resident of California, not imprisoned or  
13 on parole for the conviction of a felony, and at least 16 years of  
14 age.” A county elections official may continue to use existing  
15 materials before printing new or revised materials required by any  
16 changes to this section.

17 SEC. 6. Section 2106 of the Elections Code, as enacted by  
18 Section 2 of Chapter 920 of the Statutes of 1994, is amended to  
19 read:

20 2106. Any program adopted by a county pursuant to Section  
21 2103 or 2105, that is designed to encourage the registration of  
22 electors, shall, with respect to any printed literature or media  
23 announcements made in connection with these programs, contain  
24 this statement: “A person entitled to register to vote must be a  
25 United States citizen, a resident of California, not imprisoned or  
26 on parole for the conviction of a felony, and at least 18 years of  
27 age at the time of the election.”

28 SEC. 7. Section 2107 of the Elections Code, as amended by  
29 Section 7 of Chapter 909 of the Statutes of 2014, is repealed.

30 SEC. 8. Section 2107 of the Elections Code, as amended by  
31 Section 8 of Chapter 909 of the Statutes of 2014, is repealed.

32 SEC. 9. Section 2108 of the Elections Code is repealed.

33 SEC. 10. Section 2109 of the Elections Code is repealed.

34 SEC. 11. Section 2110 of the Elections Code is repealed.

35 SEC. 12. Section 2113 of the Elections Code is repealed.

36 SEC. 13. Section 2114 of the Elections Code is amended to  
37 read:

38 2114. The county elections official of any county in this state  
39 may receive the affidavit of registration of any elector who resides  
40 or claims residence in another county in this state. The affidavit

1 shall be forwarded to the county elections official of the county  
2 in which the elector resides. The county elections official of the  
3 county in which the elector resides shall use the affidavit of  
4 registration received from the other county as his or her permanent  
5 record of registration.

6 Registration by this method shall be effective for all elections  
7 occurring 15 or more days after receipt of the affidavit of  
8 registration by the county elections official to which the affidavit  
9 is mailed or delivered by the elector.

10 SEC. 14. Section 2115 of the Elections Code is amended to  
11 read:

12 2115. Whenever a voter, between the time of that person's last  
13 registration and the time for the closing of registration for any  
14 given election, has lawfully changed his or her surname, the voter  
15 shall reregister under the new or changed name. The voter shall  
16 make an additional statement at the time of reregistration, giving  
17 the name under which he or she was last registered.

18 This additional statement shall be given in the prior registration  
19 portion of the affidavit of registration before the affidavit is signed,  
20 and shall be deemed a part of the affidavit. Upon reregistration,  
21 the registration of the voter shall be immediately updated.

22 SEC. 15. Section 2117 of the Elections Code is repealed.

23 SEC. 16. Section 2118 of the Elections Code is repealed.

24 SEC. 17. Section 2118.5 of the Elections Code is repealed.

25 SEC. 18. Section 2119 of the Elections Code is amended to  
26 read:

27 2119. (a) Except as provided in subdivision (d) and Chapter  
28 5 (commencing with Section 3400) and Chapter 6 (commencing  
29 with Section 3500) of Division 3, the county elections official shall  
30 accept affidavits of registration at all times except during the 14  
31 days immediately preceding an election, when registration shall  
32 cease for that election as to electors residing in the territory within  
33 which the election is held.

34 (b) Transfers of registration for an election may be made from  
35 one precinct to another precinct in the same county, from one  
36 county to another county, or for a residence address change within  
37 the same precinct at any time registration is in progress in the  
38 precinct or county to which the elector seeks to transfer. In lieu of  
39 executing a new affidavit of registration for a change of address,  
40 the county elections official shall accept a notice, a letter of the

1 change of address signed by a voter as he or she is registered, or  
2 a written notice. The former address shall be maintained with the  
3 voter record and the registration of the voter shall be immediately  
4 updated.

5 (c) If the reregistration or transfer is from one county to another  
6 county, the county elections official of the county in which the  
7 voter was formerly registered shall be notified and the registration  
8 of the voter shall be immediately updated.

9 (d) The county elections official shall accept an affidavit of  
10 registration or a notification for the forthcoming election and shall  
11 immediately update the address on the voter's affidavit of  
12 registration accordingly if the affidavit of registration or  
13 notification is executed on or before the 15th day prior to the  
14 election and if any of the following apply:

15 (1) The mailed affidavit of registration or notification is  
16 postmarked on or before the 15th day prior to the election and  
17 received by mail by the county elections official before the close  
18 of the polls on election day.

19 (2) The affidavit of registration or notification is submitted to  
20 the Department of Motor Vehicles or accepted by any other public  
21 agency designated as a voter registration agency pursuant to the  
22 federal National Voter Registration Act of 1993 (52 U.S.C. Sec.  
23 20501 et seq.) on or before the 15th day prior to the election.

24 (3) The affidavit of registration or notification is delivered to  
25 the county elections official by means other than those described  
26 in paragraphs (1) and (2) on or before the 15th day prior to the  
27 election.

28 (4) The affidavit is submitted electronically on the Internet Web  
29 site of the Secretary of State pursuant to Section 2196 on or before  
30 the 15th day prior to the election.

31 (e) If the registration, reregistration, or notification is executed  
32 during the 14 days before an election or is executed on or before  
33 the 15th day prior to the election, but does not meet any of the  
34 conditions set forth in subdivision (d), the registration of the voter  
35 or the update to the registration of the voter shall be immediately  
36 processed, but the voter will not be eligible to vote in that election.

37 (f) This section shall become inoperative on January 1, 2017.

38 SEC. 19. Section 2119 of the Elections Code is amended to  
39 read:



1     2119. (a) Except as provided in subdivision (d), Article 4.5  
2 (commencing with Section 2170), and Chapter 5 (commencing  
3 with Section 3400) and Chapter 6 (commencing with Section 3500)  
4 of Division 3, the county elections official shall accept affidavits  
5 of registration at all times except during the 14 days immediately  
6 preceding an election, when registration shall cease for that election  
7 as to electors residing in the territory within which the election is  
8 held.

9     (b) Transfers of registration for an election may be made from  
10 one precinct to another precinct in the same county, from one  
11 county to another county, or for a residence address change within  
12 the same precinct at any time registration is in progress in the  
13 precinct or county to which the elector seeks to transfer. In lieu of  
14 executing a new affidavit of registration for a change of address,  
15 the county elections official shall accept a notice, a letter of the  
16 change of address signed by a voter as he or she is registered, or  
17 written notice.

18     The former address shall be maintained with the voter record  
19 and the registration of the voter shall be immediately updated.

20     (c) If the reregistration or transfer is from one county to another  
21 county, the county elections official of the county in which the  
22 voter was formerly registered shall be notified and the registration  
23 of the voter shall be immediately updated.

24     (d) The county elections official shall accept an affidavit of  
25 registration or a notification for the forthcoming election and shall  
26 immediately update the address on the voter's affidavit of  
27 registration accordingly if the affidavit of registration or  
28 notification is executed on or before the 15th day prior to the  
29 election and if any of the following apply:

30     (1) The mailed affidavit of registration or notification is  
31 postmarked on or before the 15th day prior to the election and  
32 received by mail by the county elections official before the close  
33 of the polls on election day.

34     (2) The affidavit of registration or notification is submitted to  
35 the Department of Motor Vehicles or accepted by any other public  
36 agency designated as a voter registration agency pursuant to the  
37 federal National Voter Registration Act of 1993 (52 U.S.C. Sec.  
38 20501 et seq.) on or before the 15th day prior to the election.

39     (3) The affidavit of registration or notification is delivered to  
40 the county elections official by means other than those described

1 in paragraphs (1) and (2) on or before the 15th day prior to the  
2 election.

3 (4) The affidavit is submitted electronically on the Internet Web  
4 site of the Secretary of State pursuant to Section 2196 on or before  
5 the 15th day prior to the election.

6 (e) If the registration, reregistration, or notification is executed  
7 during the 14 days before an election or is executed on or before  
8 the 15th day prior to the election, but does not meet any of the  
9 conditions set forth in subdivision (d), the registration of the voter  
10 or the update to the registration of the voter shall be immediately  
11 processed, but the voter will not be eligible to vote in that election.

12 (f) This section shall become operative on January 1, 2017.

13 SEC. 20. Section 2120 of the Elections Code is amended to  
14 read:

15 2120. (a) If the county elections official receives a letter from  
16 a voter stating that the voter has moved to a new address in another  
17 county in the state and the voter provides the new address, the  
18 elections official shall immediately update the voter's registration  
19 and the former address shall be maintained with the voter record.

20 (b) If the county elections official receives a letter from a voter  
21 stating that the voter has moved to a new address in another county  
22 in the state and the voter does not provide the new address, the  
23 elections official shall cancel the old registration for any election  
24 occurring at least 15 days after the receipt of the letter.

25 SEC. 21. Section 2135 of the Elections Code is repealed.

26 SEC. 22. Section 2136 of the Elections Code is repealed.

27 SEC. 23. Section 2137 of the Elections Code is repealed.

28 SEC. 24. Section 2139 of the Elections Code is amended to  
29 read:

30 2139. On the day of the close of registration for any election  
31 all individuals and organizations that have submitted plans for  
32 distribution shall immediately return all completed affidavits of  
33 registration in their possession to the county elections official.  
34 Unused affidavits shall be returned upon completion of the  
35 distribution plan.

36 SEC. 25. Section 2140 of the Elections Code is amended to  
37 read:

38 2140. The county elections official shall report to the district  
39 attorney of the county, under oath, the name of any individuals or

1 organizations that have submitted plans for distribution who have  
2 not complied with this article.

3 SEC. 26. Section 2141 of the Elections Code is repealed.

4 SEC. 27. Section 2150 of the Elections Code, as amended by  
5 Section 8 of Chapter 1 of the Statutes of 2009, is amended to read:

6 2150. (a) The affidavit of registration shall show:

7 (1) The facts necessary to establish the affiant as an elector.

8 (2) The affiant's name at length, including his or her given  
9 name, and a middle name or initial, or if the initial of the given  
10 name is customarily used, then the initial and middle name. The  
11 affiant's given name may be preceded, at affiant's option, by the  
12 designation of "Miss," "Ms.," "Mrs.," or "Mr." A person shall not  
13 be denied the right to register because of his or her failure to mark  
14 a prefix to the given name and shall be so advised on the voter  
15 registration card. This subdivision shall not be construed as  
16 requiring the printing of prefixes on an affidavit of registration.

17 (3) The affiant's place of residence, residence telephone number,  
18 if furnished, and email address, if furnished. No person shall be  
19 denied the right to register because of his or her failure to furnish  
20 a telephone number or email address, and shall be so advised on  
21 the voter registration card.

22 (4) The affiant's mailing address, if different from the place of  
23 residence.

24 (5) The affiant's date of birth to establish that he or she will be  
25 at least 18 years of age on or before the date of the next election.

26 (6) The state or country of the affiant's birth.

27 (7) (A) In the case of an applicant who has been issued a current  
28 and valid driver's license, the applicant's driver's license number.

29 (B) In the case of any other applicant, other than an applicant  
30 to whom subparagraph (C) applies, the last four digits of the  
31 applicant's social security number.

32 (C) If an applicant for voter registration has not been issued a  
33 current and valid driver's license or a social security number, the  
34 state shall assign the applicant a number that will serve to identify  
35 the applicant for voter registration purposes. To the extent that the  
36 state has a computerized list in effect under this subdivision and  
37 the list assigns unique identifying numbers to registrants, the  
38 number assigned under this subparagraph shall be the unique  
39 identifying number assigned under the list.

40 (8) The affiant's political party preference.

1 (9) That the affiant is currently not imprisoned or on parole for  
2 the conviction of a felony.

3 (10) A prior registration portion indicating whether the affiant  
4 has been registered at another address, under another name, or as  
5 preferring another party. If the affiant has been so registered, he  
6 or she shall give an additional statement giving that address, name,  
7 or party.

8 (b) The affiant shall certify the content of the affidavit as to its  
9 truth and correctness, under penalty of perjury, with the signature  
10 of his or her name and the date of signing. If the affiant is unable  
11 to write, he or she shall sign with a mark or cross.

12 (c) The affidavit of registration shall also contain a space that  
13 would enable the affiant to state his or her ethnicity or race, or  
14 both. An affiant may not be denied the ability to register because  
15 he or she declines to state his or her ethnicity or race.

16 (d) If any person assists the affiant in completing the affidavit,  
17 that person shall sign and date the affidavit below the signature of  
18 the affiant.

19 (e) The affidavit of registration shall also contain a space to  
20 permit the affiant to apply for permanent vote by mail status.

21 (f) The Secretary of State may continue to supply existing  
22 affidavits of registration to county elections officials prior to  
23 printing new or revised forms that reflect the changes made to this  
24 section by the act that added this subdivision.

25 *SEC. 27.5. Section 2150 of the Elections Code, as amended by*  
26 *Section 8 of Chapter 1 of the Statutes of 2009, is amended to read:*

27 2150. (a) The affidavit of registration shall show:

28 (1) The facts necessary to establish the affiant as an elector.

29 (2) The affiant's name at length, including his or her given  
30 name, and a middle name or initial, or if the initial of the given  
31 name is customarily used, then the initial and middle name. The  
32 affiant's given name may be preceded, at *the* affiant's option, by  
33 the designation of ~~Miss, Ms., Mrs., or Mr.~~ "Miss," "Ms.," "Mrs.,"  
34 *or "Mr."* A person shall not be denied the right to register because  
35 of his or her failure to mark a prefix to the given name and shall  
36 be so advised on the voter registration card. This subdivision shall  
37 not be construed as requiring the printing of prefixes on an affidavit  
38 of registration.

39 (3) The affiant's place of residence, residence telephone number,  
40 if furnished, and ~~e-mail~~ *email* address, if furnished. ~~No~~ A person

1 shall *not* be denied the right to register because of his or her failure  
2 to furnish a telephone number or ~~e-mail~~ *email* address, and shall  
3 be so advised on the voter registration card.

4 (4) The affiant's mailing address, if different from the place of  
5 residence.

6 (5) The affiant's date of birth to establish that he or she will be  
7 at least 18 years of age on or before the date of the next election.

8 (6) The state or country of the affiant's birth.

9 (7) (A) In the case of an ~~applicant~~ *affiant* who has been issued  
10 a current and valid driver's license, the ~~applicant's~~ *affiant's* driver's  
11 license number.

12 (B) In the case of any other ~~applicant~~, *affiant*, other than an  
13 ~~applicant~~ *affiant* to whom subparagraph (C) applies, the last four  
14 digits of the ~~applicant's~~ *affiant's* social security number.

15 (C) If an ~~applicant~~ for a voter registration *affiant* has not been  
16 issued a current and valid driver's license or a social security  
17 number, the state shall assign the applicant a number that will serve  
18 to identify the ~~applicant~~ *affiant* for voter registration purposes. ~~To~~  
19 ~~the extent that~~ *If* the state has a computerized list in effect under  
20 this ~~subdivision~~ *paragraph* and the list assigns unique identifying  
21 numbers to registrants, the number assigned under this  
22 subparagraph shall be the unique identifying number assigned  
23 under the list.

24 (8) The affiant's political party preference.

25 (9) That the affiant is currently not imprisoned or on parole for  
26 the conviction of a felony.

27 (10) A prior registration portion indicating ~~whether~~ *if* the affiant  
28 has been registered at another address, under another name, or as  
29 preferring another party. If the affiant has been so registered, he  
30 or she shall give an additional statement giving that address, name,  
31 or party.

32 (b) The affiant shall certify the content of the affidavit *of*  
33 *registration* as to its ~~truth~~ *truthfulness* and correctness, under  
34 penalty of perjury, with the signature of his or her name and the  
35 date of signing. If the affiant is unable to ~~write~~ *write*, he or she  
36 shall sign with a mark or cross. *An affiant who is an individual*  
37 *with a disability may complete the affidavit with reasonable*  
38 *accommodations as needed.*

39 (c) The affidavit of registration shall also contain a space that  
40 would enable the affiant to state his or her ethnicity or race, or

1 both. An affiant may not be denied the ability to register because  
2 he or she declines to state his or her ethnicity or race.

3 (d) ~~If any person, including a deputy registrar, a person~~ assists  
4 the affiant in completing the ~~affidavit~~, *affidavit of registration*,  
5 that person shall sign and date the affidavit below the signature of  
6 the affiant.

7 (e) The affidavit of registration shall also contain a space to  
8 permit the affiant to apply for permanent vote by mail status.

9 (f) The Secretary of State may continue to supply existing  
10 affidavits of registration to county elections officials ~~prior to~~ *before*  
11 printing new or revised forms that reflect the changes made to this  
12 section by ~~the act that added this subdivision. Chapter 508 of the~~  
13 *Statutes of 2007*.

14 SEC. 28. Section 2150 of the Elections Code, as amended by  
15 Section 3 of Chapter 619 of the Statutes of 2014, is amended to  
16 read:

17 2150. (a) The affidavit of registration shall show:

18 (1) The facts necessary to establish the affiant as an elector.

19 (2) The affiant's name at length, including his or her given  
20 name, and a middle name or initial, or if the initial of the given  
21 name is customarily used, then the initial and middle name. The  
22 affiant's given name may be preceded, at affiant's option, by the  
23 designation of "Miss," "Ms.," "Mrs.," or "Mr." A person shall not  
24 be denied the right to register because of his or her failure to mark  
25 a prefix to the given name and shall be so advised on the voter  
26 registration card. This subdivision shall not be construed as  
27 requiring the printing of prefixes on an affidavit of registration.

28 (3) The affiant's place of residence, residence telephone number,  
29 if furnished, and email address, if furnished. A person shall not be  
30 denied the right to register because of his or her failure to furnish  
31 a telephone number or email address, and shall be so advised on  
32 the voter registration card.

33 (4) The affiant's mailing address, if different from the place of  
34 residence.

35 (5) The affiant's date of birth to establish that he or she will be  
36 at least 18 years of age on or before the date of the next election.  
37 In the case of an affidavit of registration submitted pursuant to  
38 subdivision (d) of Section 2102, the affiant's date of birth to  
39 establish that he or she is at least 16 years of age.

40 (6) The state or country of the affiant's birth.

1 (7) (A) In the case of an applicant who has been issued a current  
2 and valid driver's license, the applicant's driver's license number.

3 (B) In the case of any other applicant, other than an applicant  
4 to whom subparagraph (C) applies, the last four digits of the  
5 applicant's social security number.

6 (C) If an applicant for voter registration has not been issued a  
7 current and valid driver's license or a social security number, the  
8 state shall assign the applicant a number that will serve to identify  
9 the applicant for voter registration purposes. To the extent that the  
10 state has a computerized list in effect under this subdivision and  
11 the list assigns unique identifying numbers to registrants, the  
12 number assigned under this subparagraph shall be the unique  
13 identifying number assigned under the list.

14 (8) The affiant's political party preference.

15 (9) That the affiant is currently not imprisoned or on parole for  
16 the conviction of a felony.

17 (10) A prior registration portion indicating whether the affiant  
18 has been registered at another address, under another name, or as  
19 preferring another party. If the affiant has been so registered, he  
20 or she shall give an additional statement giving that address, name,  
21 or party.

22 (b) The affiant shall certify the content of the affidavit as to its  
23 truth and correctness, under penalty of perjury, with the signature  
24 of his or her name and the date of signing. If the affiant is unable  
25 to write, he or she shall sign with a mark or cross.

26 (c) The affidavit of registration shall also contain a space that  
27 would enable the affiant to state his or her ethnicity or race, or  
28 both. An affiant shall not be denied the ability to register because  
29 he or she declines to state his or her ethnicity or race.

30 (d) If a person assists the affiant in completing the affidavit,  
31 that person shall sign and date the affidavit below the signature of  
32 the affiant.

33 (e) The affidavit of registration shall also contain a space to  
34 permit the affiant to apply for permanent vote by mail status.

35 (f) The Secretary of State may continue to supply existing  
36 affidavits of registration to county elections officials prior to  
37 printing new or revised forms that reflect the changes made to this  
38 section by the act that added this subdivision.

1     SEC. 28.5. *Section 2150 of the Elections Code, as amended by*  
2     *Section 3 of Chapter 619 of the Statutes of 2014, is amended to*  
3     *read:*

4     2150. (a) The affidavit of registration shall show:

5     (1) The facts necessary to establish the affiant as an elector.

6     (2) The affiant's name at length, including his or her given  
7     name, and a middle name or initial, or if the initial of the given  
8     name is customarily used, then the initial and middle name. The  
9     affiant's given name may be preceded, at *the* affiant's option, by  
10    the designation of ~~Miss, Ms., Mrs., or Mr.~~ "Miss," "Ms.," "Mrs.,"  
11    or "Mr." A person shall not be denied the right to register because  
12    of his or her failure to mark a prefix to the given name and shall  
13    be so advised on the voter registration card. This subdivision shall  
14    not be construed as requiring the printing of prefixes on an affidavit  
15    of registration.

16    (3) The affiant's place of residence, residence telephone number,  
17    if furnished, and ~~e-mail~~ *email* address, if furnished. A person shall  
18    not be denied the right to register because of his or her failure to  
19    furnish a telephone number or ~~e-mail~~ *email* address, and shall be  
20    so advised on the voter registration card.

21    (4) The affiant's mailing address, if different from the place of  
22    residence.

23    (5) The affiant's date of birth to establish that he or she will be  
24    at least 18 years of age on or before the date of the next election.  
25    In the case of an affidavit of registration submitted pursuant to  
26    subdivision (d) of Section 2102, the affiant's date of birth to  
27    establish that he or she is at least 16 years of age.

28    (6) The state or country of the affiant's birth.

29    (7) (A) In the case of an ~~applicant~~ *affiant* who has been issued  
30    a current and valid driver's license, the ~~applicant's~~ *affiant's* driver's  
31    license number.

32    (B) In the case of any other ~~applicant~~, *affiant*, other than an  
33    ~~applicant~~ *affiant* to whom subparagraph (C) applies, the last four  
34    digits of the ~~applicant's~~ *affiant's* social security number.

35    (C) If an ~~applicant~~ for a voter registration *affiant* has not been  
36    issued a current and valid driver's license or a social security  
37    number, the state shall assign the ~~applicant~~ *affiant* a number that  
38    will serve to identify the ~~applicant~~ *affiant* for voter registration  
39    purposes. ~~To the extent that~~ *If* the state has a computerized list in  
40    effect under this ~~subdivision~~ *paragraph* and the list assigns unique



1 identifying numbers to registrants, the number assigned under this  
2 subparagraph shall be the unique identifying number assigned  
3 under the list.

4 (8) The affiant's political party preference.

5 (9) That the affiant is currently not imprisoned or on parole for  
6 the conviction of a felony.

7 (10) A prior registration portion indicating whether the affiant  
8 has been registered at another address, under another name, or as  
9 preferring another party. If the affiant has been so registered, he  
10 or she shall give an additional statement giving that address, name,  
11 or party.

12 (b) The affiant shall certify the content of the affidavit of  
13 *registration* as to its ~~truth~~ *truthfulness* and correctness, under  
14 penalty of perjury, with the signature of his or her name and the  
15 date of signing. If the affiant is unable to ~~write~~ *write*, he or she  
16 shall sign with a mark or cross. *An affiant who is an individual*  
17 *with a disability may complete the affidavit with reasonable*  
18 *accommodations as needed.*

19 (c) The affidavit of registration shall also contain a space that  
20 would enable the affiant to state his or her ethnicity or race, or  
21 both. An affiant shall not be denied the ability to register because  
22 he or she declines to state his or her ethnicity or race.

23 (d) If a ~~person, including a deputy registrar,~~ *person* assists the  
24 affiant in completing the ~~affidavit,~~ *affidavit of registration*, that  
25 person shall sign and date the affidavit below the signature of the  
26 affiant.

27 (e) The affidavit of registration shall also contain a space to  
28 permit the affiant to apply for permanent vote by mail status.

29 (f) The Secretary of State may continue to supply existing  
30 affidavits of registration to county elections officials ~~prior to~~ *before*  
31 printing new or revised forms that reflect the changes made to this  
32 section by ~~the act that added this subdivision.~~ *Chapter 508 of the*  
33 *Statutes of 2007.*

34 SEC. 29. Section 2155.3 of the Elections Code is amended to  
35 read:

36 2155.3. (a) In lieu of the voter notification required by Section  
37 2155, a person under 18 years of age who submits an affidavit of  
38 registration pursuant to Section 2101 or subdivision (d) of Section  
39 2102, as amended by the act adding this section shall be sent a  
40 voter preregistration notice upon a determination that the affidavit

1 of registration is properly executed and that the person otherwise  
2 satisfies all eligibility requirements to vote, except that he or she  
3 is under 18 years of age. The county elections official shall send  
4 the voter preregistration notice by nonforwardable, first-class mail,  
5 address correction requested.

6 (b) The voter preregistration notice required by subdivision (a)  
7 shall be substantially in the following form:

8  
9 VOTER PREREGISTRATION NOTICE

10  
11 Thank you for preregistering to vote. You may vote in any  
12 election held on or after your 18th birthday.

13 Your party preference is: (Name of political party)

14 Before any election in which you are eligible to vote, you will  
15 receive a sample ballot and voter pamphlet by mail.

16 If the information on this card is incorrect, please contact our  
17 office or update your preregistration at the Internet Web site of  
18 the Secretary of State.

19  
20 SEC. 30. Section 2157 of the Elections Code is amended to  
21 read:

22 2157. (a) Subject to this chapter, the paper affidavit of  
23 registration shall be in a form prescribed by regulations adopted  
24 by the Secretary of State. The affidavit shall comply with all of  
25 the following:

26 (1) Contain the information prescribed in Section 2150.

27 (2) Allow for the inclusion of informational language to meet  
28 the specific needs of that county, including, but not limited to, the  
29 return address of the elections official in that county, and a  
30 telephone number at which a voter can obtain elections information  
31 in that county.

32 (3) Be included on one portion of a multipart card, to be known  
33 as a voter registration card, the other portions of which shall include  
34 information sufficient to facilitate completion and mailing of the  
35 affidavit. The affidavit portion of the multipart card shall be  
36 numbered according to regulations adopted by the Secretary of  
37 State. For purposes of facilitating the distribution of voter  
38 registration cards as provided in Section 2158, there shall be  
39 attached to the affidavit portion a receipt. The receipt shall be  
40 separated from the body of the affidavit by a perforated line.

1 (4) Contain, in a type size and color of ink that is clearly  
2 distinguishable from surrounding text, a statement identical or  
3 substantially similar to the following:

4 “Certain voters facing life-threatening situations may qualify  
5 for confidential voter status. For more information, please contact  
6 the Secretary of State’s Safe At Home program or visit the  
7 Secretary of State’s Web site.”

8 (5) Contain, in a type size and color of ink that is clearly  
9 distinguishable from surrounding text, a statement that the use of  
10 voter registration information for commercial purposes is a  
11 misdemeanor pursuant to subdivision (a) of Section 2194 and  
12 Section 18109, and any suspected misuse shall be reported to the  
13 Secretary of State.

14 (6) Contain a toll-free fraud hotline telephone number  
15 maintained by the Secretary of State that the public may use to  
16 report suspected fraudulent activity concerning misuse of voter  
17 registration information.

18 (7) Be returnable to the county elections official as a  
19 self-enclosed mailer with postage prepaid by the Secretary of State.

20 (b) Nothing contained in this division shall prevent the use of  
21 voter registration cards and affidavits of registration in existence  
22 on the effective date of this section and produced pursuant to  
23 regulations of the Secretary of State, and all references to voter  
24 registration cards and affidavits in this division shall be applied to  
25 the existing voter registration cards and affidavits of registration.

26 (c) The Secretary of State may continue to supply existing  
27 affidavits of registration prior to printing new or revised forms  
28 that reflect the changes required pursuant to this section or Section  
29 2150.

30 (d) An affidavit of registration shall not be submitted  
31 electronically on a county’s Internet Web site. However, a county  
32 may provide a hyperlink on the county’s Internet Web site to the  
33 Secretary of State’s electronic voter registration system.

34 SEC. 31. Section 2158 of the Elections Code is amended to  
35 read:

36 2158. County elections officials shall do all of the following:

37 (a) Provide voter registration cards designed pursuant to  
38 subdivision (a) of Section 2157 for the registration of voters at his  
39 or her office and in a sufficient number of locations throughout  
40 the county for the convenience of persons desiring to register, to

1 the end that registration may be maintained at a high level. The  
2 cards shall be available in all languages required by Section 203  
3 (52 U.S.C. Sec. 10503) or Section 4(f)(4) (52 U.S.C. Sec.  
4 10303(f)(4)) of the federal Voting Rights Act of 1965.

5 (b) Provide voter registration cards designed pursuant to  
6 subdivision (a) of Section 2157 in sufficient quantities to any  
7 individuals or organizations that wish to distribute the cards other  
8 than to persons who have been convicted of violating this section  
9 within the last five years. Individuals and organizations shall be  
10 permitted to distribute voter registration cards anywhere within  
11 the county.

12 (1) An individual or organization that distributes voter  
13 registration cards designed pursuant to subdivision (a) of Section  
14 2157 shall obtain the voter registration cards from the county  
15 elections official or the Secretary of State. The individual or  
16 organization shall comply with all applicable regulations  
17 established by the Secretary of State when distributing the cards.

18 (2) If, after completing his or her voter registration card, an  
19 elector entrusts it to another person, the latter shall sign and date  
20 the attached, numbered receipt indicating his or her address and  
21 telephone number, if any, and give the receipt to the elector. Failure  
22 to comply with this paragraph shall not cause the invalidation of  
23 the registration of a voter.

24 (3) An individual or organization that distributes voter  
25 registration cards designed pursuant to subdivision (a) of Section  
26 2157 shall give a voter registration card to any elector requesting  
27 it, provided that the individual or organization has a sufficient  
28 number of cards.

29 (4) If distribution of voter registration cards pursuant to this  
30 subdivision is undertaken by mailing cards to persons who have  
31 not requested the cards, the person mailing the cards shall enclose  
32 a cover letter or other notice with each card instructing the  
33 recipients to disregard the cards if they are currently registered  
34 voters.

35 (c) Mail a voter registration card immediately to a person who  
36 wishes to register to vote and requests a voter registration card.

37 SEC. 32. Section 2160 of the Elections Code is repealed.

38 SEC. 33. Section 2163 of the Elections Code is amended to  
39 read:

1     2163. The Secretary of State shall prepare an appropriate voter  
2 registration logo that may be displayed by offices, stores, and other  
3 establishments indicating the availability of voter registration for  
4 the public. The Secretary of State, upon request, shall provide these  
5 logos free of charge to any interested person or organization.

6     SEC. 34. Section 2165 of the Elections Code is amended to  
7 read:

8     2165. Affidavits of registration shall be processed immediately.

9     SEC. 35. Section 2166 of the Elections Code is amended to  
10 read:

11     2166. (a) Any person filing with the county elections official  
12 a new affidavit of registration or reregistration may have the  
13 information relating to his or her residence address, telephone  
14 number, and email address appearing on the affidavit, or any list  
15 or roster or index prepared therefrom, declared confidential upon  
16 order of a superior court issued upon a showing of good cause that  
17 a life-threatening circumstance exists to the voter or a member of  
18 the voter's household, and naming the county elections official as  
19 a party.

20     (b) Any person granted confidential voter status under  
21 subdivision (a) shall:

22     (1) Provide a valid mailing address and be considered a vote by  
23 mail voter for all subsequent elections or until the county elections  
24 official is notified otherwise by the court or in writing by the voter.  
25 A voter requesting termination of vote by mail status thereby  
26 consents to placement of his or her residence address, telephone  
27 number, and email address in the roster of voters.

28     (2) The elections official, in producing any list, roster, or index  
29 shall exclude voters with a confidential voter status.

30     (3) Within 60 days of moving to a new county, obtain an order  
31 from the superior court of the new county pursuant to subdivision  
32 (a). The elections official of the new county, upon notice of the  
33 confidential voter moving into the county, shall do all of the  
34 following:

35     (A) Contact the confidential voter and provide information  
36 regarding the application for confidential voter status in the new  
37 county.

38     (B) Honor the confidential voter status from the former county  
39 for 60 days from the date of notice.

1 (C) Pursuant to paragraph (2) of subdivision (b), exclude the  
2 confidential voter in any list, roster, or index during the 60-day  
3 period.

4 (D) Remove the confidential voter status if the new voter has  
5 not provided a court order to the new county during the 60-day  
6 period.

7 (c) No action in negligence may be maintained against any  
8 government entity or officer or employee thereof as a result of the  
9 disclosure of the information which is the subject of this section  
10 unless by a showing of gross negligence or willfulness.

11 SEC. 36. Section 2166.5 of the Elections Code is amended to  
12 read:

13 2166.5. (a) Any person filing with the county elections official  
14 a new affidavit of registration or reregistration may have the  
15 information relating to his or her residence address, telephone  
16 number, and email address appearing on the affidavit, or any list  
17 or roster or index prepared therefrom, declared confidential upon  
18 presentation of certification that the person is a participant in the  
19 Address Confidentiality for Victims of Domestic Violence, Sexual  
20 Assault, and Stalking program pursuant to Chapter 3.1  
21 (commencing with Section 6205) of Division 7 of Title 1 of the  
22 Government Code or a participant in the Address Confidentiality  
23 for Reproductive Health Care Service Providers, Employees,  
24 Volunteers, and Patients program pursuant to Chapter 3.2  
25 (commencing with Section 6215) of that division.

26 (b) Any person granted confidential voter status under  
27 subdivision (a) shall:

28 (1) Provide a valid mailing address and be considered a vote by  
29 mail voter for all subsequent elections and all subsequent  
30 reregistrations inside or outside the county until the county  
31 elections official is notified otherwise by the Secretary of State or  
32 in writing by the voter. A voter requesting termination of vote by  
33 mail status thereby consents to placement of his or her residence  
34 address, telephone number, and email address in the roster of  
35 voters.

36 (2) The elections official, in producing any list, roster, or index  
37 shall exclude voters with a confidential voter status.

38 (c) No action in negligence may be maintained against any  
39 government entity or officer or employee thereof as a result of the

1 disclosure of the information that is the subject of this section  
2 unless by a showing of gross negligence or willfulness.

3 (d) Subdivisions (a) and (b) shall not apply to any person granted  
4 confidentiality upon receipt by the county elections official of a  
5 written notice by the address confidentiality program manager of  
6 the withdrawal, invalidation, expiration, or termination of the  
7 program participant's certification.

8 SEC. 37. Section 2166.7 of the Elections Code is amended to  
9 read:

10 2166.7. (a) If authorized by his or her county board of  
11 supervisors, a county elections official shall, upon application of  
12 a public safety officer, make confidential that officer's residence  
13 address, telephone number, and email address appearing on the  
14 affidavit of registration, in accordance with the terms and  
15 conditions of this section.

16 (b) The application by the public safety officer shall contain a  
17 statement, signed under penalty of perjury, that the person is a  
18 public safety officer as defined in subdivision (f) and that a  
19 life-threatening circumstance exists to the officer or a member of  
20 the officer's family. The application shall be a public record.

21 (c) The confidentiality granted pursuant to subdivision (a) shall  
22 terminate no more than two years after commencement, as  
23 determined by the county elections official. The officer may submit  
24 a new application for confidentiality pursuant to subdivision (a),  
25 and the new request may be granted for an additional period of  
26 not more than two years.

27 (d) Any person granted confidential voter status under  
28 subdivision (a) shall:

29 (1) Provide a valid mailing address and be considered a vote by  
30 mail voter for all subsequent elections or until the county elections  
31 official is notified otherwise by the Secretary of State or in writing  
32 by the voter. A voter requesting termination of vote by mail status  
33 thereby consents to placement of his or her residence address,  
34 telephone number, and email address in the roster of voters.

35 (2) The elections official, in producing any list, roster, or index,  
36 shall exclude voters with a confidential voter status.

37 (3) Within 60 days of moving to a new county, if available in  
38 the new county, apply for confidential voter status pursuant to  
39 subdivision (a). The elections official of the new county, upon

1 notice of the confidential voter moving into the county, shall do  
2 all of the following:

3 (A) Contact the confidential voter and provide information  
4 regarding the application for confidential voter status in the new  
5 county.

6 (B) Honor the confidential voter status from the former county  
7 for 60-days from the date of notice.

8 (C) Pursuant to paragraph (2) of subdivision (b), exclude the  
9 confidential voter in any list, roster, or index during the 60-day  
10 period.

11 (D) Remove the confidential voter status if the new voter has  
12 not obtained or cannot obtain confidential voter status pursuant to  
13 this section in the new county during the 60-day period.

14 (e) No action in negligence may be maintained against any  
15 government entity or officer or employee thereof as a result of the  
16 disclosure of the information that is the subject of this section  
17 unless by a showing of gross negligence or willfulness.

18 (f) "A public safety officer" has the same meaning as defined  
19 in subdivision (a), (d), (e), (f), or (j) of Section 6254.24 of the  
20 Government Code.

21 SEC. 38. Section 2168 of the Elections Code is amended to  
22 read:

23 2168. The Secretary of State shall establish and maintain a  
24 statewide system to facilitate the reporting of election results and  
25 voter and candidate information, and to otherwise administer and  
26 enhance election administration.

27 SEC. 39. Section 2180 of the Elections Code is repealed.

28 SEC. 40. Section 2181 of the Elections Code is repealed.

29 SEC. 41. Section 2182 of the Elections Code is repealed.

30 SEC. 42. Section 2183 of the Elections Code is amended to  
31 read:

32 2183. (a) The elections official shall supply an electronic copy,  
33 or paper copy upon request, of the index and of supplements to  
34 the index, necessary to bring it up to date, for all elections to be  
35 held within the county. The county elections official shall also  
36 supply copies of the index and supplements as may be requested  
37 by the elections official of a city, school district, or other body.  
38 The name of each voter whose affidavit of registration has been  
39 canceled shall be removed from the index and supplement. The  
40 county elections official may charge an amount sufficient to



1 reimburse the county for the expense incurred in preparing and  
2 furnishing the indexes of registrations and supplements.

3 (b) (1) The index shall contain the name, address, residence  
4 telephone number if furnished, and political party preference of  
5 each voter, and also a ruled space to the left of each name, within  
6 which to write, in figures, the line number designating the position  
7 of the name of the voter on the roster of voters.

8 (2) The name shall include the given name and the middle name  
9 or initials, if any. At the affiant's option, the given name may be  
10 preceded by the designation "Miss," "Ms.," "Mrs.," or "Mr."

11 SEC. 43. Section 2184 of the Elections Code is amended to  
12 read:

13 2184. Upon request of any Member of the Legislature, of  
14 Congress, or any candidate who is to be voted for in the county,  
15 in a city therein, or in a political subdivision of either, or upon  
16 written demand of his or her campaign committee, of any  
17 committee for or against any proposed ballot measure, or of any  
18 committee for or against any referendum or initiative measure for  
19 which legal publication has been made, the county elections official  
20 shall furnish to the Member of the Legislature, of Congress, or to  
21 either the candidate or his or her campaign committee or to the  
22 ballot measure committee the index of the registration for the  
23 primary and general elections in which the Member of the  
24 Legislature or Congress may participate as a candidate, or for the  
25 election in which the candidate will participate, or the ballot  
26 measure will be voted upon, at a charge of fifty cents (\$0.50) per  
27 thousand names. All moneys collected shall be deposited in the  
28 county treasury to the credit of the general fund.

29 SEC. 44. Section 2185 of the Elections Code is amended to  
30 read:

31 2185. Upon written request of the chair or vice chair of a party  
32 state central committee or of the chair of a party county central  
33 committee, the county elections official shall furnish to each  
34 committee, without charge therefor, the index of registration for  
35 the primary and general elections, for any special election at which  
36 a partisan office is to be filled, or for any statewide special election.  
37 The county elections official shall furnish one copy per election  
38 in an electronic form, or in paper form upon request, of the indexes  
39 specified in this section.

1 SEC. 45. Section 2187 of the Elections Code is amended to  
2 read:

3 2187. (a) Each county elections official shall provide notice  
4 to the Secretary of State that the following information is available:

- 5 (1) The total number of voters in the county.  
6 (2) The number registered as preferring each qualified political  
7 party.  
8 (3) The number registered as preferring nonqualified parties.  
9 (4) The number registered without choosing a political party  
10 preference.  
11 (5) The number of voters by political party preferences in each  
12 of the following political subdivisions, located in whole or in part  
13 within the county:  
14 (A) A supervisorial district.  
15 (B) Congressional district.  
16 (C) Senate district.  
17 (D) Assembly district.  
18 (E) Board of Equalization district.  
19 (F) Cities and unincorporated areas.  
20 (b) The Secretary of State, within 30 days after receiving the  
21 information specified in subdivision (a), shall compile a statewide  
22 list showing the number of voters, by party preferences, in the state  
23 and in each county, city, supervisorial district, Assembly district,  
24 Senate district, and congressional district in the state. A copy of  
25 this list shall be made available, upon request, to any elector in  
26 this state.  
27 (c) The county elections officials shall prepare the information  
28 referenced in subdivision (a) and provide notice to the Secretary  
29 of State at the following times:  
30 (1) On the 135th day before each presidential primary and before  
31 each direct primary, with respect to voters registered on the 154th  
32 day before the primary election.  
33 (2) Not less than 50 days prior to the primary election, with  
34 respect to voters registered on the 60th day before the primary  
35 election.  
36 (3) Not less than seven days prior to the primary election, with  
37 respect to voters registered before the 14th day prior to the primary  
38 election.

1 (4) Not less than 102 days prior to each presidential general  
2 election, with respect to voters registered before the 123rd day  
3 before the presidential general election.

4 (5) Not less than 50 days prior to the general election, with  
5 respect to voters registered on the 60th day before the general  
6 election.

7 (6) Not less than seven days prior to the general election, with  
8 respect to voters registered before the 14th day prior to the general  
9 election.

10 (7) On or before March 1 of each odd-numbered year, with  
11 respect to voters registered as of February 10.

12 (d) The Secretary of State may adopt regulations prescribing  
13 additional regular reporting times, except that the total number of  
14 reporting times in any one calendar year shall not exceed 12.

15 SEC. 46. Section 2188 of the Elections Code is amended to  
16 read:

17 2188. (a) Any application for voter registration information  
18 available pursuant to law and maintained by the Secretary of State  
19 or by the elections official of any county shall be made pursuant  
20 to this section.

21 (b) The application shall set forth all of the following:

22 (1) The printed or typed name of the applicant in full.

23 (2) The complete residence address and complete business  
24 address of the applicant, giving street and number. If no street or  
25 number exists, a postal mailing address as well as an adequate  
26 designation sufficient to readily ascertain the location.

27 (3) The telephone number of the applicant, if one exists.

28 (4) The number of the applicant's driver's license, state  
29 identification card, or other identification approved by the Secretary  
30 of State if the applicant does not have a driver's license or state  
31 identification card.

32 (5) The specific information requested.

33 (6) A statement of the intended use of the information requested.

34 (c) If the application is on behalf of a person other than the  
35 applicant, the applicant shall, in addition to the information  
36 required by subdivision (b), set forth all of the following:

37 (1) The name of the person, organization, company, committee,  
38 association, or group requesting the voter registration information,  
39 including their complete mailing address and telephone number.

1 (2) The name of the person authorizing or requesting the  
2 applicant to obtain the voter registration information.

3 (d) The elections official shall request the applicant to display  
4 his or her identification for purposes of verifying that identifying  
5 numbers of the identification document match those written by  
6 the applicant on the application form.

7 (e) The applicant shall certify to the truth and correctness of the  
8 content of the application, under penalty of perjury, with the  
9 signature of his or her name at length, including given name,  
10 middle name or initial, or initial and middle name. The applicant  
11 shall state the date and place of execution of the declaration.

12 (f) Completed applications for voter registration information  
13 shall be retained by the elections official for five years from the  
14 date of application.

15 (g) This section shall not apply to requests for information by  
16 elections officials for election purposes or by other public agencies  
17 for governmental purposes.

18 (h) The Secretary of State may prescribe additional information  
19 to be included in the application for voter registration information.

20 (i) A county may not provide information for any political  
21 subdivision that is not wholly or partially contained within that  
22 county.

23 SEC. 47. Section 2188.1 of the Elections Code is amended to  
24 read:

25 2188.1. The Secretary of State may insert fictitious names of  
26 voters into the voter registration information database as an  
27 investigative and enforcement tool for determining inappropriate  
28 or unauthorized uses of voter registration information.

29 SEC. 48. Section 2188.5 of the Elections Code is amended to  
30 read:

31 2188.5. (a) A person who requests voter information pursuant  
32 to Section 2188 or who obtains signatures or other information  
33 collected for an initiative, referendum, political party qualification,  
34 or recall petition shall not send that information outside of the  
35 United States or make it available in any way electronically to  
36 persons outside the United States, including, but not limited to,  
37 access over the Internet.

38 (b) For purposes of this section, "United States" includes each  
39 of the several states of the United States, the District of Columbia,  
40 and the territories and possessions of the United States.

1 SEC. 49. Section 2190 of the Elections Code is repealed.

2 SEC. 50. Section 2191 of the Elections Code is amended to  
3 read:

4 2191. Upon request, the elections official shall compile an  
5 index, list, or file, by precinct, of all persons who voted in previous  
6 elections. This information shall be compiled in conjunction with  
7 the purge of voter registration files conducted pursuant to Article  
8 2 (commencing with Section 2220) of Chapter 3.

9 Information compiled pursuant to this section shall include that  
10 information which is required to appear in the index as set forth  
11 in Section 2183.

12 Any person, candidate, or committee who is entitled to obtain a  
13 copy of any information contained in this article shall, upon written  
14 request to the elections official, be entitled to obtain the index, list,  
15 or file compiled pursuant to this section. The elections official  
16 shall inform any recipient of this information as to whether the  
17 index, list, or file includes a voting history of vote by mail voters.  
18 The elections official may require the payment of a fee not to  
19 exceed the cost of duplicating the information as a condition to  
20 furnishing the information contained in this section.

21 SEC. 51. Section 2192 of the Elections Code is repealed.

22 SEC. 52. Section 2193 of the Elections Code is amended to  
23 read:

24 2193. The Secretary of State shall, from the information  
25 furnished by the county elections officials pursuant to Section  
26 2187, identify possible duplicate voter registrations. Those voter  
27 registrations determined to be duplicates shall be merged and the  
28 voter registration bearing the most recent date shall be the active  
29 record for that voter.

30 SEC. 53. Section 2194 of the Elections Code is amended to  
31 read:

32 2194. (a) Except as provided in Section 2194.1, the affidavit  
33 of voter registration information identified in Section 6254.4 of  
34 the Government Code:

35 (1) Shall be confidential and shall not appear on any computer  
36 terminal, list, affidavit, duplicate affidavit, or other medium  
37 routinely available to the public at the county elections official's  
38 office.

39 (2) Shall not be used for any personal, private, or commercial  
40 purpose, including, but not limited to:

1 (A) The harassment of any voter or voter's household.

2 (B) The advertising, solicitation, sale, or marketing of products  
3 or services to any voter or voter's household.

4 (C) Reproduction in print, broadcast visual or audio, or display  
5 on the Internet or any computer terminal unless pursuant to  
6 paragraph (3).

7 (3) Shall be provided with respect to any voter, subject to the  
8 provisions of Sections 2166, 2166.5, 2166.7, and 2188, to any  
9 candidate for federal, state, or local office, to any committee for  
10 or against any initiative or referendum measure for which legal  
11 publication is made, and to any person for election, scholarly,  
12 journalistic, or political purposes, or for governmental purposes,  
13 as determined by the Secretary of State.

14 (b) (1) Notwithstanding any other law, the California driver's  
15 license number, the California identification card number, the  
16 social security number, and any other unique identifier used by  
17 the State of California for purposes of voter identification shown  
18 on the affidavit of voter registration of a registered voter, or added  
19 to voter registration records to comply with the requirements of  
20 the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901  
21 et seq.), are confidential and shall not be disclosed to any person.

22 (2) Notwithstanding any other law, the signature of the voter  
23 shown on the affidavit of voter registration or an image thereof is  
24 confidential and shall not be disclosed to any person, except as  
25 provided in subdivision (c).

26 (c) (1) The home address or signature of any voter shall be  
27 released whenever the person's vote is challenged pursuant to  
28 Sections 15105 to 15108, inclusive, or Article 3 (commencing  
29 with Section 14240) of Chapter 3 of Division 14. The address or  
30 signature shall be released only to the challenger, to elections  
31 officials, and to other persons as necessary to make, defend against,  
32 or adjudicate the challenge.

33 (2) An elections official shall permit a person to view the  
34 signature of a voter for the purpose of determining whether the  
35 signature matches a signature on an affidavit of registration or an  
36 image thereof or a petition, but shall not permit a signature to be  
37 copied.

38 (d) A governmental entity, or officer or employee thereof, shall  
39 not be held civilly liable as a result of disclosure of the information

1 referred to in this section, unless by a showing of gross negligence  
2 or willfulness.

3 (e) For the purposes of this section, “voter’s household” is  
4 defined as the voter’s place of residence or mailing address or any  
5 persons who reside at the place of residence or use the mailing  
6 address as supplied on the affidavit of registration pursuant to  
7 paragraphs (3) and (4) of subdivision (a) of Section 2150.

8 SEC. 54. Section 2196 of the Elections Code is amended to  
9 read:

10 2196. (a) (1) Notwithstanding any other provision of law, a  
11 person who is qualified to register to vote and who has a valid  
12 California driver’s license or state identification card may submit  
13 an affidavit of voter registration electronically on the Internet Web  
14 site of the Secretary of State.

15 (2) An affidavit submitted pursuant to this section is effective  
16 upon receipt of the affidavit by the Secretary of State if the affidavit  
17 is received on or before the last day to register for an election to  
18 be held in the precinct of the person submitting the affidavit.

19 (3) The affiant shall affirmatively attest to the truth of the  
20 information provided in the affidavit.

21 (4) For voter registration purposes, the applicant shall  
22 affirmatively assent to the use of his or her signature from his or  
23 her driver’s license or state identification card.

24 (5) For each electronic affidavit, the Secretary of State shall  
25 obtain an electronic copy of the applicant’s signature from his or  
26 her driver’s license or state identification card directly from the  
27 Department of Motor Vehicles.

28 (6) The Secretary of State shall require a person who submits  
29 an affidavit pursuant to this section to submit all of the following:

30 (A) The number from his or her California driver’s license or  
31 state identification card.

32 (B) His or her date of birth.

33 (C) The last four digits of his or her social security number.

34 (D) Any other information the Secretary of State deems  
35 necessary to establish the identity of the affiant.

36 (7) Upon submission of an affidavit pursuant to this section, the  
37 electronic voter registration system shall provide for immediate  
38 verification of both of the following:

39 (A) That the applicant has a California driver’s license or state  
40 identification card and that the number for that driver’s license or

1 identification card provided by the applicant matches the number  
2 for that person's driver's license or identification card that is on  
3 file with the Department of Motor Vehicles.

4 (B) That the date of birth provided by the applicant matches the  
5 date of birth for that person that is on file with the Department of  
6 Motor Vehicles.

7 (8) The Secretary of State shall employ security measures to  
8 ensure the accuracy and integrity of voter registration affidavits  
9 submitted electronically pursuant to this section.

10 (b) The Department of Motor Vehicles shall utilize the electronic  
11 voter registration system required by this section to comply with  
12 its duties and responsibilities as a voter registration agency pursuant  
13 to the federal National Voter Registration Act of 1993 (52 U.S.C.  
14 Sec. 20501 et seq.).

15 (c) The Department of Motor Vehicles and the Secretary of  
16 State shall maintain a process and the infrastructure to allow the  
17 electronic copy of the applicant's signature and other information  
18 required under this section that is in the possession of the  
19 department to be transferred to the Secretary of State and to the  
20 county election management systems to allow a person who is  
21 qualified to register to vote in California to register to vote under  
22 this section.

23 (d) If an applicant cannot electronically submit the information  
24 required pursuant to paragraph (6) of subdivision (a), he or she  
25 shall nevertheless be able to complete the affidavit of voter  
26 registration electronically on the Secretary of State's Internet Web  
27 site, print a hard copy of the completed affidavit, and mail or  
28 deliver the hard copy of the completed affidavit to the Secretary  
29 of State or the appropriate county elections official.

30 SEC. 55. Section 2200 of the Elections Code is amended to  
31 read:

32 2200. The registration of a voter is permanent for all purposes  
33 during his or her life, unless and until the affidavit of registration  
34 is canceled by the Secretary of State or the county elections official  
35 for any of the causes specified in this article.

36 SEC. 56. Section 2201 of the Elections Code is amended to  
37 read:

38 2201. (a) The county elections official shall cancel the  
39 registration in the following cases:

40 (1) At the signed, written request of the person registered.



1 (2) When the mental incompetency of the person registered is  
2 legally established as provided in Sections 2208, 2209, 2210, and  
3 2211.

4 (3) Upon proof that the person is presently imprisoned or on  
5 parole for conviction of a felony.

6 (4) Upon the production of a certified copy of a judgment  
7 directing the cancellation to be made.

8 (5) Upon the death of the person registered.

9 (6) Pursuant to Article 2 (commencing with Section 2220).

10 (7) Upon official notification that the voter is registered to vote  
11 in another state.

12 (8) Upon proof that the person is otherwise ineligible to vote.

13 (b) The Secretary of State may cancel the registration in the  
14 following cases:

15 (1) When the mental incompetency of the person registered is  
16 legally established as provided in Sections 2208, 2209, 2210, and  
17 2211.

18 (2) Upon proof that the person is presently imprisoned or on  
19 parole for the conviction of a felony.

20 (3) Upon the death of the person registered.

21 SEC. 57. Section 2202 of the Elections Code is amended to  
22 read:

23 2202. (a) The county elections official shall preserve all  
24 uncanceled affidavits of registration in a secure manner that will  
25 protect the confidentiality of the voter information consistent with  
26 Section 2194.

27 The affidavits of registration shall constitute the register required  
28 to be kept by Article 5 (commencing with Section 2183) of Chapter  
29 2.

30 (b) In lieu of maintaining uncanceled affidavits of registration,  
31 the county elections official may microfilm, record on optical disc,  
32 or record on any other electronic medium that does not permit  
33 additions, deletions, or changes to the original document, the  
34 uncanceled affidavits of registration. Any such use of an electronic  
35 medium to record uncanceled affidavits shall protect the security  
36 and confidentiality of the voter information. The county elections  
37 official may dispose of any uncanceled affidavits of registration  
38 transferred pursuant to this section. The disposal of any uncanceled  
39 affidavits shall be performed in a manner that does not compromise  
40 the security or confidentiality of the voter information contained

1 therein. For purposes of this section, a duplicate copy of an  
2 affidavit of registration shall be deemed an original. The Secretary  
3 of State may adopt appropriate regulations for the purpose of this  
4 section.

5 SEC. 58. Section 2203 of the Elections Code is repealed.

6 SEC. 59. Section 2204 of the Elections Code is repealed.

7 SEC. 60. Section 2206 of the Elections Code is amended to  
8 read:

9 2206. The Secretary of State shall adopt regulations to facilitate  
10 the availability of death statistics from the State Department of  
11 Health Services. The data shall be used by the Secretary of State  
12 or county elections officials in canceling the affidavit of registration  
13 of deceased persons.

14 SEC. 61. Section 2208 of the Elections Code is amended to  
15 read:

16 2208. (a) A person shall be deemed mentally incompetent,  
17 and therefore disqualified from voting, if, during the course of any  
18 of the proceedings set forth below, the court finds that the person  
19 is not capable of completing an affidavit of voter registration in  
20 accordance with Section 2150 and any of the following apply:

21 (1) A conservator for the person or the person and estate is  
22 appointed pursuant to Division 4 (commencing with Section 1400)  
23 of the Probate Code.

24 (2) A conservator for the person or the person and estate is  
25 appointed pursuant to Chapter 3 (commencing with Section 5350)  
26 of Part 1 of Division 5 of the Welfare and Institutions Code.

27 (3) A conservator is appointed for the person pursuant to  
28 proceedings initiated under Section 5352.5 of the Welfare and  
29 Institutions Code, the person has been found not competent to  
30 stand trial, and the person's trial or judgment has been suspended  
31 pursuant to Section 1370 of the Penal Code.

32 (4) A person has plead not guilty by reason of insanity, has been  
33 found to be not guilty pursuant to Section 1026 of the Penal Code,  
34 and is deemed to be gravely disabled at the time of judgment as  
35 defined in paragraph (2) of subdivision (h) of Section 5008 of the  
36 Welfare and Institutions Code.

37 (b) If the proceeding under the Welfare and Institutions Code  
38 is heard by a jury, the jury shall unanimously find that the person  
39 is not capable of completing an affidavit of voter registration before  
40 the person shall be disqualified from voting.

1 (c) If an order establishing a conservatorship is made and in  
2 connection with the order it is found that the person is not capable  
3 of completing an affidavit of voter registration, the court shall  
4 forward the order and determination to the Secretary of State and  
5 the county elections official of the person's county of residence  
6 in the format prescribed by the Secretary of State.

7 (d) A person shall not be disqualified from voting pursuant to  
8 this section on the basis that he or she does, or would need to do,  
9 any of the following to complete an affidavit of voter registration:

10 (1) Signs the affidavit of voter registration with a mark or a  
11 cross pursuant to subdivision (b) of Section 2150.

12 (2) Signs the affidavit of voter registration by means of a  
13 signature stamp pursuant to Section 354.5.

14 (3) Completes the affidavit of voter registration with the  
15 assistance of another person pursuant to subdivision (d) of Section  
16 2150.

17 *SEC. 61.5. Section 2208 of the Elections Code is amended to*  
18 *read:*

19 2208. (a) *A person is presumed competent to vote regardless*  
20 *of his or her conservatorship status. A person shall be deemed*  
21 *mentally incompetent, and therefore disqualified from voting, if,*  
22 *during the course of any of the proceedings set forth below, the*  
23 *court finds by clear and convincing evidence that the person is not*  
24 *capable of completing an affidavit of voter registration in*  
25 *accordance with Section 2150 cannot communicate, with or without*  
26 *reasonable accommodations, a desire to participate in the voting*  
27 *process, and any of the following apply:*

28 (1) A conservator for the person or the person and estate is  
29 appointed pursuant to Division 4 (commencing with Section 1400)  
30 of the Probate Code.

31 (2) A conservator for the person or the person and estate is  
32 appointed pursuant to Chapter 3 (commencing with Section 5350)  
33 of Part 1 of Division 5 of the Welfare and Institutions Code.

34 (3) A conservator is appointed for the person pursuant to  
35 proceedings initiated under Section 5352.5 of the Welfare and  
36 Institutions Code, the person has been found not competent to  
37 stand trial, and the person's trial or judgment has been suspended  
38 pursuant to Section 1370 of the Penal Code.

39 (4) A person has ~~plead~~ *pleaded* not guilty by reason of insanity,  
40 has been found to be not guilty pursuant to Section 1026 of the

1 Penal Code, and is deemed to be gravely disabled at the time of  
2 judgment as defined in paragraph (2) of subdivision (h) of Section  
3 5008 of the Welfare and Institutions Code.

4 (b) If the proceeding under the Welfare and Institutions Code  
5 is heard by a jury, the jury shall unanimously find *by clear and*  
6 *convincing evidence* that the person ~~is not capable of completing~~  
7 ~~an affidavit of voter registration~~ *cannot communicate, with or*  
8 *without reasonable accommodations, a desire to participate in the*  
9 *voting process* before the person shall be disqualified from voting.

10 (c) If an order establishing a conservatorship is made and in  
11 connection with the order it is found *by clear and convincing*  
12 *evidence* that the person ~~is not capable of completing an affidavit~~  
13 ~~of voter registration,~~ *cannot communicate, with or without*  
14 *reasonable accommodations, a desire to participate in the voting*  
15 *process*, the court shall forward the order and determination to the  
16 ~~county elections official of the person's county of residence.~~  
17 *Secretary of State and the county elections official of the person's*  
18 *county of residence in the format prescribed by the Secretary of*  
19 *State.*

20 (d) A person shall not be disqualified from voting pursuant to  
21 this section on the basis that he or she does, or would need to do,  
22 any of the following to complete an affidavit of voter registration:

23 (1) Signs the affidavit of voter registration with a mark or a  
24 cross pursuant to subdivision (b) of Section 2150.

25 (2) Signs the affidavit of voter registration by means of a  
26 signature stamp pursuant to Section 354.5.

27 (3) Completes the affidavit of voter registration with the  
28 assistance of another person pursuant to subdivision (d) of Section  
29 2150.

30 (4) *Completes the affidavit of voter registration with reasonable*  
31 *accommodations.*

32 SEC. 62. Section 2209 of the Elections Code is amended to  
33 read:

34 2209. (a) For conservatorships established pursuant to Division  
35 4 (commencing with Section 1400) of the Probate Code, the court  
36 investigator shall, during the yearly or biennial review of the  
37 conservatorship as required by Chapter 2 (commencing with  
38 Section 1850) of Part 3 of Division 4 of the Probate Code, review  
39 the person's capability of completing an affidavit of voter  
40 registration in accordance with Section 2150.

1 (b) (1) If the person had been disqualified from voting by reason  
2 of being incapable of completing an affidavit of voter registration,  
3 the court investigator shall determine whether the person has  
4 become capable of completing the affidavit in accordance with  
5 Section 2150 and subdivision (d) of Section 2208, and the  
6 investigator shall so inform the court.

7 (2) If the investigator finds that the person is capable of  
8 completing the affidavit in accordance with Section 2150 and  
9 subdivision (d) of Section 2208, the court shall hold a hearing to  
10 determine whether the person is in fact capable of completing the  
11 affidavit. If the person is found to be capable of completing the  
12 affidavit, the person's right to register to vote shall be restored,  
13 and the court shall so notify the Secretary of State and the county  
14 elections official in the format prescribed by the Secretary of State.

15 (c) If the person had not been found to be incapable of  
16 completing an affidavit of voter registration, and the court  
17 investigator determines that the person is no longer capable of  
18 completing the affidavit in accordance with Section 2150 and  
19 subdivision (d) of Section 2208, the investigator shall so notify  
20 the court. The court shall hold a hearing to determine whether the  
21 person is capable of completing an affidavit of voter registration  
22 in accordance with Section 2150 and subdivision (d) of Section  
23 2208. If the court determines that the person is not so able, the  
24 court shall order the person to be disqualified from voting pursuant  
25 to Section 2208, and the court shall so notify the Secretary of State  
26 and the county elections official in the format prescribed by the  
27 Secretary of State.

28 *SEC. 62.5. Section 2209 of the Elections Code is amended to*  
29 *read:*

30 2209. (a) For conservatorships established pursuant to Division  
31 4 (commencing with Section 1400) of the Probate Code, the court  
32 investigator shall, during the yearly or biennial review of the  
33 conservatorship as required by Chapter 2 (commencing with  
34 Section 1850) of Part 3 of Division 4 of the Probate Code, review  
35 the person's capability of ~~completing an affidavit of voter~~  
36 ~~registration in accordance with Section 2150.~~ *communicating, with*  
37 *or without reasonable accommodations, a desire to participate in*  
38 *the voting process.*

39 ~~(b) (1) If the person had been disqualified from voting by reason~~  
40 ~~of being incapable of completing an affidavit of voter registration,~~

~~the court investigator shall determine whether the person has become capable of completing the affidavit in accordance with Section 2150 and subdivision (d) of Section 2208, and the investigator shall so inform the court.~~

~~(2)~~

*(b) If the investigator person has been disqualified from voting by reason of being incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process, or by reason of being incapable of completing an affidavit of voter registration, the court investigator shall determine if the person continues to be incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process, and the investigator shall so inform the court. If the investigator determines that the person continues to be incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process, a court hearing on the issue is unnecessary. If the investigator finds that the person is capable of completing the affidavit in accordance with Section 2150 and subdivision (d) of Section 2208, the not incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process, the court shall hold a hearing to determine whether the person is in fact capable of completing the affidavit. If if, by clear and convincing evidence, the person cannot communicate, with or without reasonable accommodations, a desire to participate in the voting process. Unless the person is found to be capable of completing the affidavit, incapable of communicating that desire, the person's right to register to vote shall be restored, and the court shall so notify the county elections official. Secretary of State and the county elections official in the format prescribed by the Secretary of State.*

*(c) If the person had has not been found to be incapable of completing an affidavit of voter registration, incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process, and the court investigator determines that the person is no longer capable of completing the affidavit in accordance with Section 2150 and subdivision (d) of Section 2208, communicating that desire, the investigator shall so notify the court. The court shall hold a hearing to determine whether the person is capable of completing an*

1 ~~affidavit of voter registration in accordance with Section 2150 and~~  
2 ~~subdivision (d) of Section 2208. if, by clear and convincing~~  
3 ~~evidence, the person cannot communicate, with or without~~  
4 ~~reasonable accommodations, a desire to participate in the voting~~  
5 ~~process. If the court determines that the person is not so able,~~  
6 ~~cannot communicate that desire, the court shall order the person~~  
7 ~~to be disqualified from voting pursuant to Section 2208, and the~~  
8 ~~court shall so notify the county elections official. Secretary of State~~  
9 ~~and the county elections official in the format prescribed by the~~  
10 ~~Secretary of State.~~

11 SEC. 63. Section 2210 of the Elections Code is amended to  
12 read:

13 2210. (a) If the person or the person and estate is under a  
14 conservatorship established pursuant to Chapter 3 (commencing  
15 with Section 5350) of Part 1 of Division 5 of the Welfare and  
16 Institutions Code, the person may contest his or her disqualification  
17 from voting pursuant to the procedure set forth in Section 5358.3  
18 of the Welfare and Institutions Code.

19 (b) When the conservatorship described in subdivision (a)  
20 terminates after one year, the person's right to register to vote shall  
21 also be automatically restored and notification shall be made to  
22 the Secretary of State and the county elections official in the format  
23 prescribed by the Secretary of State. If a petition is filed for the  
24 reappointment of the conservator, a new determination shall be  
25 made as to whether the person should be disqualified from voting.

26 (c) If the right to vote is restored pursuant to Section 5358.3 of  
27 the Welfare and Institutions Code or if the conservatorship is  
28 terminated in a proceeding held pursuant to Section 5364 of the  
29 Welfare and Institutions Code, the court shall notify the Secretary  
30 of State and the county elections official of the person's county of  
31 residence in the format prescribed by the Secretary of State that  
32 the person's right to register to vote is restored.

33 SEC. 64. Section 2211 of the Elections Code is amended to  
34 read:

35 2211. (a) Any person who (1) has plead not guilty by reason  
36 of insanity and who has been found to be not guilty pursuant to  
37 Section 1026 of the Penal Code, (2) has been found incompetent  
38 to stand trial and whose trial or judgment has been suspended  
39 pursuant to Section 1370 of the Penal Code, (3) has been convicted  
40 of a felony and who was judicially determined to be a mentally

1   disordered sex offender pursuant to former Section 6300 of the  
2   Welfare and Institutions Code, as repealed by Chapter 928 of the  
3   Statutes of 1981, or (4) has been convicted of a felony and is being  
4   treated at a state hospital pursuant to Section 2684 of the Penal  
5   Code shall be disqualified from voting or registering to vote during  
6   that time that the person is involuntarily confined, pursuant to a  
7   court order, in a public or private facility.

8   (b) Upon the order of commitment to a treatment facility referred  
9   to in subdivision (a), the court shall notify the Secretary of State  
10   and the county elections official of the person's county of residence  
11   in the format prescribed by the Secretary of State and order the  
12   person to be disqualified from voting or registering to vote.

13   (c) If the person is later released from the public or private  
14   treatment facility, the court shall notify the Secretary of State and  
15   the county elections official of the person's county of residence  
16   in the format prescribed by the Secretary of State that the right of  
17   the person to register to vote is restored.

18   SEC. 65. Section 2212 of the Elections Code is amended to  
19   read:

20   2212. The clerk of the superior court of each county, on the  
21   basis of the records of the court, shall furnish to the Secretary of  
22   State and the county elections official in the format prescribed by  
23   the Secretary of State, not less frequently than the first day of every  
24   month, a statement showing the names, addresses, and dates of  
25   birth of all persons who have been convicted of felonies since the  
26   clerk's last report. The Secretary of State or county elections  
27   official shall cancel the affidavits of registration of those persons  
28   who are currently imprisoned or on parole for the conviction of a  
29   felony. The clerk shall certify the statement under the seal of the  
30   court.

31   SEC. 66. Section 2221 of the Elections Code is amended to  
32   read:

33   2221. (a) Based on the postal notices on the returned residency  
34   confirmation postcards received pursuant to Section 2220, the  
35   county elections official shall take the following actions:

36   (1) The affidavits of registration of persons whose residency  
37   confirmation postcards are returned by the post office as  
38   undeliverable and who have no forwarding address shall be placed  
39   in the inactive file pursuant to paragraph (2) of subdivision (a) of



1 Section 2226. These persons shall be mailed the confirmation  
2 notices described in subdivision (c) of Section 2225.

3 (2) The affidavits of registration of persons for whom forwarding  
4 addresses within the county or outside the county are received  
5 shall be immediately updated to reflect the new address provided  
6 by the post office and the former address shall be maintained with  
7 the voter record. These persons shall be mailed the confirmation  
8 notices described in subdivision (b) of Section 2225.

9 (b) All updates to affidavits of registration made pursuant to  
10 this section shall be reflected on the voter index as required by  
11 Section 2191.

12 SEC. 67. Section 2224 of the Elections Code is amended to  
13 read:

14 2224. (a) If a voter has not voted in an election within the  
15 preceding four years, and his or her residence address, name, or  
16 party preference has not been updated during that time, the county  
17 elections official may send an alternate residency confirmation  
18 postcard. The use of this postcard may be sent subsequent to NCOA  
19 or sample ballot returns, but shall not be used in the residency  
20 confirmation process conducted under Section 2220. The postcard  
21 shall be forwardable, including a postage-paid and preaddressed  
22 return form to enable the voter to verify or correct the address  
23 information, and shall be in substantially the following form:

24 “If the person named on the postcard is not at this address,  
25 PLEASE help keep the voter rolls current and save taxpayer dollars  
26 by returning this postcard to your mail carrier.”

27 “IMPORTANT NOTICE”

28 “According to our records you have not voted in any election  
29 during the past four years, which may indicate that you no longer  
30 reside in \_\_\_\_ County. If you continue to reside in California you  
31 must confirm your residency address in order to remain on the  
32 active voter list and receive election materials in the mail.”

33 “If confirmation has not been received within 15 days, you may  
34 be required to provide proof of your residence address in order to  
35 vote at future elections.”

36 (b) The use of a toll-free number to confirm the old residence  
37 address is optional. Any change to a voter’s address shall be  
38 received in writing.

1 (c) A county using the alternate residency confirmation  
2 procedure shall notify all voters of the procedure in the sample  
3 ballot pamphlet or in a separate mailing.

4 SEC. 68. Section 2225 of the Elections Code is amended to  
5 read:

6 2225. (a) Based on change-of-address data received from the  
7 United States Postal Service or its licensees, the county elections  
8 official shall send a forwardable notice, including a postage-paid  
9 and preaddressed return form, to enable the voter to verify or  
10 correct address information.

11 Notification received through NCOA or Operation Mail that a  
12 voter has moved and has given no forwarding address shall not  
13 require the mailing of a forwardable notice to that voter.

14 (b) If postal service change-of-address data indicates that the  
15 voter has moved to a new residence address in California, the  
16 forwardable notice shall be in substantially the following form:

17  
18 “We have received notification that you have moved to a new  
19 residence address in California. You will be registered to vote at  
20 your new address unless you notify our office within 15 days that  
21 the address to which this card was mailed is not a change of your  
22 permanent residence. You must notify our office by either returning  
23 the attached postage-paid postcard, or by calling toll free. If this  
24 is not a permanent residence, and if you do not notify us within  
25 15 days, you may be required to provide proof of your residence  
26 address in order to vote at future elections.”

27  
28  
29 (c) If postal service change-of-address data received from a  
30 nonforwardable mailing indicates that a voter has moved and left  
31 no forwarding address, a forwardable notice shall be sent in  
32 substantially the following form:

33  
34 “We are attempting to verify postal notification that the voter to  
35 whom this card is addressed has moved and left no forwarding  
36 address. If the person receiving this card is the addressed voter,  
37 please confirm your continued residence or provide current  
38 residence information on the attached postage-paid postcard within  
39 15 days. If you do not return this card and continue to reside in  
40 California, you may be required to provide proof of your residence

1 address in order to vote at future elections and, if you do not offer  
2 to vote at any election in the period between the date of this notice  
3 and the second federal general election following this notice, your  
4 voter registration will be cancelled and you will have to reregister  
5 in order to vote.”  
6

7 (d) The use of a toll-free number to confirm the old residence  
8 address is optional. Any change to the voter address must be  
9 received in writing.

10 SEC. 69. Section 2226 of the Elections Code is amended to  
11 read:

12 2226. (a) Based on change-of-address information received  
13 pursuant to Sections 2220 to 2225, inclusive, or change-of-address  
14 information provided directly by the voter, the county elections  
15 official shall take the following actions as appropriate:

16 (1) If the information indicates the voter has moved to a new  
17 residence address in California, the county elections official shall  
18 immediately update the voter’s registration.

19 (2) If the mailings have been returned as undeliverable, or if  
20 the voter fails to confirm his or her address as required by Section  
21 2224, the county elections official may place the voter’s name on  
22 the inactive file of registered voters who do not receive election  
23 materials and are not included in calculations to determine the  
24 number of signatures required for qualification of candidates and  
25 measures, precinct size, or other election administration-related  
26 processes.

27 (b) The voter registration of any voter whose name has been  
28 placed on the inactive file of registered voters for failure to respond  
29 to an address verification mailing required by Section 2225, and  
30 who does not offer to vote or vote at any election between the date  
31 of the mailing and two federal general elections after the date of  
32 that mailing, may be canceled.

33 (c) Any voter whose name has been placed on the inactive file  
34 of registered voters and offers to vote at any election between the  
35 date of the verification notice, and two federal general elections  
36 after the date of notice, or who notifies the elections official of a  
37 continued residency, shall be removed from the inactive file and  
38 placed on the active voter file.

(d) All address updates, cancellations, and inactive transactions made to the voter registration file pursuant to this section shall be reflected on the voter index as required by Section 2191.

SEC. 70. Section 2227 of the Elections Code is amended to read:

2227. (a) In lieu of mailing a residency confirmation postcard, as prescribed in subdivision (a) of Section 2220, the county elections official may contract with a consumer credit reporting agency or its licensees to obtain use of change-of-address data in accordance with this section.

(b) If the county elections official contracts with a consumer credit reporting agency or its licensees pursuant to subdivision (a), all of the following shall occur:

(1) For each registered voter in the county, the county elections official shall initiate a search for change-of-address data with the consumer credit reporting agency or its licensees by providing the name and residence address of each registered voter in the county to the consumer credit reporting agency or its licensees.

(2) The consumer credit reporting agency or its licensees shall search their databases for each name and address provided by the county elections official and shall report to the county elections official any information indicating that the registered voter changed his or her residence address.

(c) (1) Notwithstanding Section 2194 of this code or Section 6254.4 of the Government Code, and except as provided in paragraph (2), a county elections official may disclose a registered voter's name and residence address to a consumer credit reporting agency or its licensees pursuant to, and in accordance with, this section.

(2) A county elections official shall not disclose to a consumer credit reporting agency or its licensees the name and residence address of a registered voter if that information is deemed confidential pursuant to Section 2166, 2166.5, or 2166.7 of this code, or Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code.

(d) A consumer credit reporting agency or its licensees shall use the information provided by a county elections official only pursuant to paragraph (2) of subdivision (b), and shall not retain any information received from the county elections official pursuant to this section.

1 (e) Based on change-of-address data received from a consumer  
2 credit reporting agency or its licensees, the county elections official  
3 shall send a forwardable notice, including a postage-paid and  
4 preaddressed return form, which may be in the form of a postcard,  
5 to the registered voter to enable the voter to verify or correct  
6 address information. The forwardable notice shall be in  
7 substantially the following form:

8  
9 “We have received notification that you have moved to a new  
10 residence address in \_\_\_\_ County. You will remain registered to  
11 vote at your old address unless you notify our office that the  
12 address to which this card was mailed is a change of your  
13 permanent residence. Please notify our office in writing by  
14 returning the attached postage-paid postcard. If this is not a  
15 permanent residence, and you do not wish to change your address  
16 for voting purposes, please disregard this notice.”  
17

18 (f) The county elections official shall take all of the following  
19 actions as appropriate:

20 (1) If a voter responds to the forwardable notice sent pursuant  
21 to subdivision (e) or otherwise verifies in a signed writing that he  
22 or she has moved to a new residence address in California, the  
23 county elections official shall verify the signature on the response  
24 by comparing it to the signature on file for the voter and, if  
25 appropriate, immediately update the voter’s registration with the  
26 new residence address.

27 (2) If a voter does not respond to the forwardable notice sent  
28 pursuant to subdivision (e) and does not otherwise verify in a  
29 signed writing that he or she has moved to a new residence address,  
30 the elections official shall not place the voter’s name on the inactive  
31 file of registered voters or cancel the voter registration.

32 (g) For purposes of this section, “consumer credit reporting  
33 agency” has the same meaning as set forth in subdivision (d) of  
34 Section 1785.3 of the Civil Code.

35 SEC. 71. Section 3009 of the Elections Code is amended to  
36 read:

37 3009. (a) Upon receipt of any vote by mail ballot application  
38 signed by the voter that arrives within the proper time, the elections  
39 official should determine if the signature and residence address  
40 on the ballot application appear to be the same as that on the

1 original affidavit of registration. The elections official may make  
2 this signature check upon receiving the voted ballot, but the  
3 signature must be compared before the vote by mail voter ballot  
4 is canvassed.

5 (b) If the elections official deems the applicant entitled to a vote  
6 by mail voter's ballot he or she shall deliver by mail or in person  
7 the appropriate ballot. The ballot may be delivered to the applicant,  
8 his or her spouse, child, parent, grandparent, grandchild, or sibling,  
9 or a person residing in the same household as the vote by mail  
10 voter, except that in no case shall the ballot be delivered to an  
11 individual under 16 years of age. The elections official shall deliver  
12 the vote by mail ballot to the applicant's spouse, child, parent,  
13 grandparent, grandchild, or sibling, or a person residing in the  
14 same household as the vote by mail voter only if that person signs  
15 a statement attested to under penalty of perjury that provides the  
16 name of the applicant and his or her relationship to the applicant,  
17 and affirms that he or she is 16 years of age or older, and is  
18 authorized by the applicant to deliver the vote by mail ballot.

19 (c) If the elections official determines that an application does  
20 not contain all of the information prescribed in Section 3001 or  
21 3006, or for any other reason is defective, and the elections official  
22 is able to ascertain the voter's address, the elections official shall,  
23 within one working day of receiving the application, mail the voter  
24 a vote by mail voter's ballot together with a notice. The notice  
25 shall inform the voter that the voter's vote by mail voter's ballot  
26 shall not be counted unless the applicant provides the elections  
27 official with the missing information or corrects the defects prior  
28 to, or at the time of, receipt of the voter's executed vote by mail  
29 voter's ballot. The notice shall specifically inform the voter of the  
30 information that is required or the reason for the defects in the  
31 application, and shall state the procedure necessary to remedy the  
32 defective application.

33 If the voter substantially complies with the requirements  
34 contained in the elections official's notice, the voter's ballot shall  
35 be counted.

36 In determining from the records of registration if the signature  
37 and residence address on the application appear to be the same as  
38 that on the original affidavit of registration, the elections official  
39 or registrar of voters may use ~~any file or list of registered voters,~~  
40 *facsimiles of voters' signatures*, provided that the method of

1 preparing and displaying the ~~file or list~~ *facsimiles* complies with  
2 law.

3 SEC. 72. Section 3010 of the Elections Code is amended to  
4 read:

5 3010. The elections official shall deliver to each qualified  
6 applicant:

7 (a) The ballot for the precinct in which he or she resides. In  
8 primary elections this shall also be accompanied by the ballot for  
9 the central committee of the party for which the voter has disclosed  
10 a preference, if any.

11 (b) All supplies necessary for the use and return of the ballot.

12 No officer of this state may make any charge for services  
13 rendered to any voter under this chapter.

14 SEC. 73. Section 3011 of the Elections Code is amended to  
15 read:

16 3011. (a) The identification envelope shall contain all of the  
17 following:

18 (1) A declaration, under penalty of perjury, stating that the voter  
19 resides within the precinct in which he or she is voting and is the  
20 person whose name appears on the envelope.

21 (2) The signature of the voter.

22 (3) The residence address of the voter as shown on the affidavit  
23 of registration.

24 (4) The date of signing.

25 (5) A notice that the envelope contains an official ballot and is  
26 to be opened only by the canvassing board.

27 (6) A warning plainly stamped or printed on it that voting twice  
28 constitutes a crime.

29 (7) A warning plainly stamped or printed on it that the voter  
30 must sign the envelope in his or her own handwriting in order for  
31 the ballot to be counted.

32 (8) A statement that the voter has neither applied, nor intends  
33 to apply, for a vote by mail voter's ballot from any other  
34 jurisdiction for the same election.

35 (9) The name of the person authorized by the voter to return the  
36 vote by mail ballot pursuant to Section 3017.

37 (10) The relationship to the voter of the person authorized to  
38 return the vote by mail ballot.

39 (11) The signature of the person authorized to return the vote  
40 by mail ballot.

1 (b) Except at a primary election for partisan office, and  
2 notwithstanding any other provision of law, the vote by mail voter's  
3 party preference may not be stamped or printed on the identification  
4 envelope.

5 SEC. 74. Section 3019 of the Elections Code is amended to  
6 read:

7 3019. (a) Upon receipt of a vote by mail ballot, the elections  
8 official shall compare the signature on the identification envelope  
9 with either of the following to determine whether the signatures  
10 compare:

11 (1) The signature appearing on the voter's affidavit of  
12 registration or any previous affidavit of registration of the voter.

13 (2) The signature appearing on a form issued by an elections  
14 official that contains the voter's signature, that is part of the voter's  
15 registration record, and that the elections official has determined  
16 compares with the signature on the voter's affidavit of registration  
17 or any previous affidavit of registration of the voter. The elections  
18 official may make this determination by reviewing a series of  
19 signatures appearing on official forms in the voter's registration  
20 record that have been determined to compare, that demonstrates  
21 the progression of the voter's signature, and makes evident that  
22 the signature on the identification envelope is that of the voter.

23 (b) In comparing signatures pursuant to subdivision (a), the  
24 elections official may use ~~any file or list of registered voters,~~  
25 *facsimiles of voters' signatures*, provided that the method of  
26 preparing and displaying the ~~file or list~~ *facsimiles* complies with  
27 the law.

28 (c) (1) If upon conducting the comparison of signatures pursuant  
29 to subdivision (a) the elections official determines that the  
30 signatures compare, he or she shall deposit the ballot, still in the  
31 identification envelope, in a ballot container in his or her office.

32 (2) If upon conducting the comparison of signatures pursuant  
33 to subdivision (a) the elections official determines that the  
34 signatures do not compare, the identification envelope shall not  
35 be opened and the ballot shall not be counted. The cause of the  
36 rejection shall be written on the face of the identification envelope.

37 (d) The variation of a signature caused by the substitution of  
38 initials for the first or middle name, or both, shall not be grounds  
39 for the elections official to determine that the signatures do not  
40 compare.



1 (e) In comparing signatures pursuant to this section, an elections  
2 official is authorized to use signature verification technology. If  
3 signature verification technology determines the signatures do not  
4 compare, the elections official shall not reject the ballot unless he  
5 or she visually examines the signatures and verifies that the  
6 signatures do not compare.

7 (f) A ballot shall not be removed from its identification envelope  
8 until the time for processing ballots. A ballot shall not be rejected  
9 for cause after the identification envelope has been opened.

10 *SEC. 74.5. Section 3019 of the Elections Code is amended to*  
11 *read:*

12 3019. (a) Upon receipt of a vote by mail ballot, the elections  
13 official shall compare the signature on the identification envelope  
14 with either of the following to determine ~~whether~~ *if* the signatures  
15 compare:

16 (1) The signature appearing on the voter's affidavit of  
17 registration or any previous affidavit of registration of the voter.

18 (2) The signature appearing on a form issued by an elections  
19 official that contains the voter's ~~signature~~, *signature and* that is  
20 part of the voter's registration record, ~~and that the elections official~~  
21 ~~has determined compares with the signature on the voter's affidavit~~  
22 ~~of registration or any previous affidavit of registration of the voter.~~  
23 ~~The elections official may make this determination by reviewing~~  
24 ~~a series of signatures appearing on official forms in the voter's~~  
25 ~~registration record that have been determined to compare, that~~  
26 ~~demonstrates the progression of the voter's signature, and makes~~  
27 ~~evident that the signature on the identification envelope is that of~~  
28 ~~the voter.~~

29 (b) In comparing signatures pursuant to subdivision (a), the  
30 elections official may use ~~the duplicate file of affidavits of~~  
31 ~~registered voters or facsimiles of voters' signatures,~~ *facsimiles of*  
32 *voters' signatures*, provided that the method of preparing and  
33 displaying the facsimiles complies with the law.

34 (c) (1) If upon conducting the comparison of signatures pursuant  
35 to subdivision (a) the elections official determines that the  
36 signatures compare, he or she shall deposit the ballot, still in the  
37 identification envelope, in a ballot container in his or her office.

38 (2) If upon conducting the comparison of signatures pursuant  
39 to subdivision (a) the elections official determines that the  
40 signatures do not compare, the identification envelope shall not

1 be opened and the ballot shall not be counted. The cause of the  
2 rejection shall be written on the face of the identification envelope.

3 (d) The variation of a signature caused by the substitution of  
4 initials for the first or middle name, or both, shall not be grounds  
5 for the elections official to determine that the signatures do not  
6 compare.

7 (e) In comparing signatures pursuant to this section, an elections  
8 official ~~is authorized to~~ may use signature verification technology.  
9 If signature verification technology determines the signatures do  
10 not compare, the elections official shall not reject the ballot unless  
11 he or she visually examines the signatures and verifies that the  
12 signatures do not compare.

13 (f) (1) (A) *Notwithstanding any other law, if an elections*  
14 *official determines that a voter has failed to sign the identification*  
15 *envelope, the elections official shall not reject the vote by mail*  
16 *ballot if the voter does any of the following:*

17 (i) *Signs the identification envelope at the office of the elections*  
18 *official during regular business hours before 5 p.m. on the eighth*  
19 *day after the election.*

20 (ii) *Before 5 p.m. on the eighth day after the election, completes*  
21 *and submits an unsigned ballot statement in substantially the*  
22 *following form:*

23  
24 “UNSIGNED BALLOT STATEMENT

25  
26 I, \_\_\_\_\_, am a registered voter of \_\_\_\_\_ County,  
27 State of California. I do solemnly swear (or affirm) that I requested and  
28 returned a vote by mail ballot and that I have not and will not vote more than  
29 one ballot in this election. I understand that if I commit or attempt any fraud  
30 in connection with voting, or if I aid or abet fraud or attempt to aid or abet  
31 fraud in connection with voting, I may be convicted of a felony punishable by  
32 imprisonment for 16 months or two or three years. I understand that my failure  
33 to sign this statement means that my vote by mail ballot will be invalidated.

34  
35 \_\_\_\_\_  
36 Voter's Signature

37 \_\_\_\_\_  
38 Address”

39 (iii) *Before the close of the polls on election day, completes and*  
40 *submits an unsigned ballot statement, in the form described in*

1 *clause (ii), to a polling place within the county or a ballot dropoff*  
2 *box.*

3 *(B) If timely submitted, the elections official shall accept any*  
4 *completed unsigned ballot statement. Upon receipt of the unsigned*  
5 *ballot statement, the elections official shall compare the voter's*  
6 *signature on the statement in the manner provided by this section.*

7 *(i) If the elections official determines that the signatures*  
8 *compare, he or she shall attach the unsigned ballot statement to*  
9 *the identification envelope and deposit the ballot, still in the*  
10 *identification envelope, in a ballot container in his or her office.*

11 *(ii) If the elections official determines that the signatures do not*  
12 *compare, the identification envelope shall not be opened and the*  
13 *ballot shall not be counted.*

14 *(C) An elections official may use methods other than those*  
15 *described in subparagraph (A) to obtain a voter's signature on an*  
16 *unsigned identification envelope.*

17 *(2) Instructions shall accompany the unsigned ballot statement*  
18 *in substantially the following form:*

19  
20 *"READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE*  
21 *STATEMENT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR*  
22 *BALLOT NOT TO COUNT.*

23 *1. In order to ensure that your vote by mail ballot will be counted, your*  
24 *statement should be completed and returned as soon as possible so*  
25 *that it can reach the elections official of the county in which your*  
26 *precinct is located no later than 5 p.m. on the eighth day after the*  
27 *election.*

28 *2. You must sign your name on the line above (Voter's Signature).*

29 *3. Place the statement into a mailing envelope addressed to your local*  
30 *elections official. Mail, deliver, or have delivered the completed*  
31 *statement to the elections official. Be sure there is sufficient postage if*  
32 *mailed and that the address of the elections official is correct.*

33 *4. Alternatively, you may submit your completed statement by facsimile*  
34 *transmission to your local elections official, or submit your completed*  
35 *statement to a polling place within the county or a ballot dropoff box*  
36 *before the close of the polls on election day.*

37  
38 *(3) An elections official shall include the unsigned ballot*  
39 *statement and instructions described in this subdivision on his or*  
40 *her Internet Web site, and shall provide the elections official's*

1 *mailing address and facsimile transmission number on the Internet*  
2 *Web page containing the statement and instructions.*

3 (f)

4 (g) A ballot shall not be removed from its identification envelope  
5 until the time for processing ballots. A ballot shall not be rejected  
6 for cause after the identification envelope has been opened.

7 SEC. 75. Section 8401 of the Elections Code is amended to  
8 read:

9 8401. (a) Upon receiving the nomination paper if, from the  
10 examination of such pursuant to Section 8400, more than 500  
11 signatures have been signed on the nomination paper petition, the  
12 elections official may use a random sampling technique for  
13 verification of signatures. The random sample of signatures to be  
14 verified shall be drawn in such a manner that every signature filed  
15 with the elections official shall be given an equal opportunity to  
16 be included in the sample. The random sampling shall include an  
17 examination of at least 500 or 5 percent of the signatures,  
18 whichever is greater.

19 (b) If the statistical sampling shows that the number of valid  
20 signatures is within 90 to 110 percent of the number of signatures  
21 of qualified voters needed to declare the nomination paper  
22 sufficient, the elections official shall examine and verify each  
23 signature filed.

24 (c) In determining from the records of registration, what number  
25 of valid signatures are signed on the nomination paper, the elections  
26 official may ~~use any file or list of registered voters;~~ *check the*  
27 *signatures against facsimiles of voters' signatures*, provided that  
28 the method of preparing and displaying the ~~file or list~~ *facsimiles*  
29 is permitted by law.

30 (d) The elections official shall attach to the nomination paper,  
31 a certificate showing the result of this examination, and shall notify  
32 the candidate of either the sufficiency or insufficiency of the  
33 nomination paper.

34 (e) If the nomination paper is found insufficient, no action shall  
35 be taken on the nomination paper. However, the failure to secure  
36 sufficient signatures, shall not preclude the submission later of an  
37 entirely new nomination paper to the same effect.

38 (f) If the nomination paper is found to be sufficient, the elections  
39 official shall certify the results of the examination.

1 SEC. 76. Section 9030 of the Elections Code is amended to  
2 read:

3 9030. (a) Each section of the petition shall be filed with the  
4 elections official of the county or city and county in which it was  
5 circulated, but all sections circulated in any county or city and  
6 county shall be filed at the same time. Once filed, no petition  
7 section shall be amended except by order of a court of competent  
8 jurisdiction.

9 (b) Within eight days after the filing of the petition, excluding  
10 Saturdays, Sundays, and holidays, the elections official shall  
11 determine the total number of signatures affixed to the petition  
12 and shall transmit this information to the Secretary of State. If the  
13 total number of signatures filed with all elections officials is less  
14 than 100 percent of the number of qualified voters required to find  
15 the petition sufficient, the Secretary of State shall so notify the  
16 proponents and the elections officials, and no further action shall  
17 be taken with regard to the petition.

18 (c) If the number of signatures filed with all elections officials  
19 is 100 percent or more of the number of qualified voters needed  
20 to declare the petition sufficient, the Secretary of State shall  
21 immediately so notify the elections officials.

22 (d) Within 30 days after this notification, excluding Saturdays,  
23 Sundays, and holidays, the elections official shall determine the  
24 number of qualified voters who have signed the petition. If more  
25 than 500 names have been signed on sections of the petition filed  
26 with an elections official, the elections official shall use a random  
27 sampling technique for verification of signatures, as determined  
28 by the Secretary of State. The random sample of signatures to be  
29 verified shall be drawn in such a manner that every signature filed  
30 with the elections official shall be given an equal opportunity to  
31 be included in the sample. The random sampling shall include an  
32 examination of at least 500 or 3 percent of the signatures,  
33 whichever is greater. In determining from the records of registration  
34 what number of qualified voters have signed the petition, the  
35 elections official may use ~~any file or list of registered voters~~  
36 *facsimiles of voters' signatures* provided that the method of  
37 preparing and displaying the ~~file or list~~ *facsimiles* complies with  
38 law.

39 (e) The elections official, upon the completion of the  
40 examination, shall immediately attach to the petition, except the

1 signatures thereto appended, a properly dated certificate, showing  
2 the result of the examination, and shall immediately transmit the  
3 petition and the certificate to the Secretary of State. A copy of this  
4 certificate shall be filed in the elections official's office.

5 (f) If the certificates received from all elections officials by the  
6 Secretary of State establish that the number of valid signatures  
7 does not equal 95 percent of the number of qualified voters needed  
8 to find the petition sufficient, the petition shall be deemed to have  
9 failed to qualify, and the Secretary of State shall immediately so  
10 notify the proponents and the elections officials.

11 (g) If the certificates received from all elections officials by the  
12 Secretary of State total more than 110 percent of the number of  
13 qualified voters needed to find the petition sufficient, the Secretary  
14 of State shall certify that the measure is qualified for the ballot as  
15 provided in Section 9033.

16 ~~SEC. 77. Section 9031 of the Elections Code is amended to~~  
17 ~~read:~~

18 ~~9031. (a) If the statistical sampling shows that the number of~~  
19 ~~valid signatures is within 95 to 110 percent of the number of~~  
20 ~~signatures of qualified voters needed to declare the petition~~  
21 ~~sufficient, the Secretary of State shall order the examination and~~  
22 ~~verification of the signatures filed, and shall so notify the elections~~  
23 ~~officials.~~

24 ~~(b) Within 30 days, excluding Saturdays, Sundays, and holidays,~~  
25 ~~after receipt of the order, the elections official or registrar of voters~~  
26 ~~shall determine from the records of registration what number of~~  
27 ~~qualified voters have signed the petition and if necessary the board~~  
28 ~~of supervisors shall allow the elections official or registrar~~  
29 ~~additional assistance for the purpose of examining the petition and~~  
30 ~~provide for their compensation. In determining from the records~~  
31 ~~of registration what number of qualified voters have signed the~~  
32 ~~petition, the elections official or registrar of voters may use any~~  
33 ~~file or list of registered voters, provided that the method of~~  
34 ~~preparing and displaying the file or list complies with law.~~

35 ~~(c) (1) During the examination and verification of the signatures~~  
36 ~~filed, the elections official or registrar of voters shall submit one~~  
37 ~~or more reports to the Secretary of State showing the number of~~  
38 ~~signatures of qualified voters that have been verified as of that~~  
39 ~~date. The Secretary of State shall determine the number of reports~~  
40 ~~required to be submitted and the manner of their submission.~~

1     ~~(2) The Secretary of State shall maintain a list indicating the~~  
2     ~~number of verified signatures of qualified voters who have signed~~  
3     ~~the petition based on the most recent reports submitted pursuant~~  
4     ~~to paragraph (1). If the Secretary of State determines, prior to each~~  
5     ~~county's completing the examination of each signature filed, that~~  
6     ~~based on the list the petition is signed by the requisite number of~~  
7     ~~voters needed to declare the petition sufficient, the Secretary of~~  
8     ~~State shall immediately notify the elections official or registrar of~~  
9     ~~voters of every county or city and county in the state of this fact.~~  
10    ~~Immediately after receipt of this notification, the elections official~~  
11    ~~or registrar of voters may suspend signature verification until~~  
12    ~~receipt of a certificate pursuant to Section 9033 or until otherwise~~  
13    ~~instructed by the Secretary of State.~~

14    ~~(d) The elections official or registrar, upon the completion of~~  
15    ~~the examination or notification pursuant to paragraph (2) of~~  
16    ~~subdivision (c), shall immediately attach to the petition, except~~  
17    ~~the signatures thereto appended, an amended certificate properly~~  
18    ~~dated, showing the result of the examination and shall immediately~~  
19    ~~transmit the petition, together with the amended certificate, to the~~  
20    ~~Secretary of State. A copy of the amended certificate shall be filed~~  
21    ~~in the elections official's office.~~

22    ~~(e) (1) If the amended certificates establish the petition's~~  
23    ~~sufficiency, the Secretary of State shall certify that the measure is~~  
24    ~~qualified for the ballot as provided in Section 9033.~~

25    ~~(2) If the amended certificates received from all elections~~  
26    ~~officials by the Secretary of State establish that the petition has~~  
27    ~~still been found insufficient, the Secretary of State shall~~  
28    ~~immediately so notify the proponents and the elections officials.~~

29    ~~SEC. 78.~~

30    ~~SEC. 77. Section 9114 of the Elections Code is amended to~~  
31    ~~read:~~

32    ~~9114. Except as provided in Section 9115, within 30 days from~~  
33    ~~the date of filing of the petition, excluding Saturdays, Sundays,~~  
34    ~~and holidays, the elections official shall examine the petition, and~~  
35    ~~from the records of registration ascertain whether or not the petition~~  
36    ~~is signed by the requisite number of voters. A certificate showing~~  
37    ~~the results of this examination shall be attached to the petition.~~

38    ~~In determining the number of valid signatures, the elections~~  
39    ~~official may use any file or list of registered voters *check the*~~  
40    ~~*signatures against facsimiles of voters' signatures* provided that~~

1 the method of preparing and displaying the ~~file or list~~ *facsimiles*  
2 complies with law.

3 The elections official shall notify the proponents of the petition  
4 as to the sufficiency or insufficiency of the petition.

5 If the petition is found insufficient, no further action shall be  
6 taken. However, the failure to secure sufficient signatures, shall  
7 not preclude the filing of a new petition on the same subject, at a  
8 later date.

9 If the petition is found sufficient, the elections official shall  
10 certify the results of the examination to the board of supervisors  
11 at the next regular meeting of the board.

12 ~~SEC. 79.~~

13 *SEC. 78.* Section 9115 of the Elections Code is amended to  
14 read:

15 9115. (a) Within 30 days from the date of filing of the petition,  
16 excluding Saturdays, Sundays, and holidays, if, from the  
17 examination of petitions pursuant to Section 9114 shows that more  
18 than 500 signatures have been signed on the petition, the elections  
19 official may use a random sampling technique for verification of  
20 signatures. The random sample of signatures to be verified shall  
21 be drawn so that every signature filed with the elections official  
22 shall be given an equal opportunity to be included in the sample.  
23 The random sampling shall include an examination of at least 500,  
24 or 3 percent of the signatures, whichever is greater.

25 (b) If the statistical sampling shows that the number of valid  
26 signatures is within 95 to 110 percent of the number of signatures  
27 of qualified voters needed to declare the petition sufficient, the  
28 elections official shall, within 60 days from the date of the filing  
29 of the petition, excluding Saturdays, Sundays, and holidays,  
30 examine and verify the signatures filed. If the elections official  
31 determines, prior to completing the examination of each signature  
32 filed, that the petition is signed by the requisite number of qualified  
33 voters to declare the petition sufficient, the elections official may  
34 terminate the verification of the remaining unverified signatures.

35 (c) In determining from the records of registration, what number  
36 of valid signatures are signed on the petition, the elections official  
37 ~~may use any file or list of registered voters; check the signatures~~  
38 ~~against facsimiles of voters' signatures,~~ provided that the method  
39 of preparing and displaying the ~~file or list~~ *facsimiles*  
40 law.



1 (d) The elections official shall attach to the petition a certificate  
2 showing the result of this examination and shall notify the  
3 proponents of either the sufficiency or insufficiency of the petition.

4 (e) If the petition is found insufficient, no action shall be taken  
5 on the petition. However, the failure to secure sufficient signatures  
6 shall not preclude the filing later of an entirely new petition to the  
7 same effect.

8 (f) If the petition is found to be sufficient, the elections official  
9 shall certify the results of the examination to the board of  
10 supervisors at the next regular meeting of the board.

11 ~~SEC. 80.~~

12 *SEC. 79.* Section 9308 of the Elections Code is amended to  
13 read:

14 9308. (a) Except as provided in Section 9309, within 30 days  
15 from the date of filing of the petition, excluding Saturdays,  
16 Sundays, and holidays, the district elections official shall examine  
17 the petition, and from the records of registration ascertain whether  
18 the petition is signed by the requisite number of voters. A certificate  
19 showing the results of this examination shall be attached to the  
20 petition.

21 (b) In determining the number of valid signatures, the district  
22 elections official may ~~use any file or list of registered voters; check~~  
23 *the signatures against facsimiles of voters' signatures*, provided  
24 that the method of preparing and displaying the ~~file or list~~  
25 *facsimiles* complies with law.

26 (c) The district elections official shall notify the proponents of  
27 the petition as to the sufficiency or insufficiency of the petition.

28 (d) If the petition is found insufficient, no further action shall  
29 be taken. However, the failure to secure sufficient signatures, shall  
30 not preclude the filing of a new petition on the same subject, at a  
31 later date.

32 (e) If the petition is found sufficient, the district elections official  
33 shall certify the results of the examination to the governing board  
34 of the district at the next regular meeting of the board.

35 ~~SEC. 81.~~

36 *SEC. 80.* Section 9309 of the Elections Code is amended to  
37 read:

38 9309. (a) Within 30 days from the date of filing of the petition,  
39 excluding Saturdays, Sundays, and holidays, if, from the  
40 examination of petitions pursuant to Section 9308, more than 500

1 signatures have been signed on the petition, the district elections  
2 official may use a random sampling technique for verification of  
3 signatures. The random sample of signatures to be verified shall  
4 be drawn in such a manner that every signature filed with the  
5 elections official shall be given an equal opportunity to be included  
6 in the sample. A random sampling shall include an examination  
7 of at least 500 or 3 percent of the signatures, whichever is greater.

8 (b) If the statistical sampling shows that the number of valid  
9 signatures is within 95 to 110 percent of the number of signatures  
10 of qualified voters needed to declare the petition sufficient, the  
11 district elections official, within 60 days from the date of the filing  
12 of the petition, excluding Saturdays, Sundays, and holidays, shall  
13 examine and verify each signature filed.

14 (c) In determining from the records of registration, what number  
15 of valid signatures are signed on the petition, the district elections  
16 official may ~~use any file or list of registered voters, check the~~  
17 *signatures against facsimiles of voters' signatures*, provided that  
18 the method of preparing and displaying the ~~file or list~~ *facsimiles*  
19 complies with law.

20 (d) The district elections official shall attach to the petition, a  
21 certificate showing the result of this examination, and shall notify  
22 the proponents of either the sufficiency or insufficiency of the  
23 petition.

24 (e) If the petition is found insufficient, no action shall be taken  
25 on the petition. However, the failure to secure sufficient signatures  
26 shall not preclude the filing later of an entirely new petition to the  
27 same effect.

28 (f) If the petition is found to be sufficient, the district elections  
29 official shall certify the results of the examination to the governing  
30 board of the district at the next regular meeting of the board.

31 ~~SEC. 82.~~

32 *SEC. 81.* Section 11224 of the Elections Code is amended to  
33 read:

34 11224. (a) Except as provided in Section 11225, within 30  
35 days from the date of filing of the petition, excluding Saturdays,  
36 Sundays, and holidays, the elections official shall examine the  
37 petition, and from the records of registration, ascertain whether or  
38 not the petition is signed by the requisite number of voters. If the  
39 elections official's examination shows that the number of valid  
40 signatures is greater than the required number, the elections official

1 shall certify the petition to be sufficient. If the number of valid  
2 signatures is less than the required number, the elections official  
3 shall certify the petition to be insufficient.

4 (b) In determining the number of valid signatures, the elections  
5 official may ~~use any file or list of registered voters,~~ *check the*  
6 *signatures against facsimiles of voters' signatures*, provided that  
7 the method of preparing and displaying the ~~file or list~~ *facsimiles*  
8 complies with law.

9 (c) The elections official shall attach to the petition a certificate  
10 showing the result of this examination, and shall notify the  
11 proponents of either the sufficiency or insufficiency of the petition.

12 (d) If the petition is found sufficient, the elections official shall  
13 certify the results of the examination to the governing board at its  
14 next regular meeting.

15 ~~SEC. 83.~~

16 *SEC. 82.* Section 11225 of the Elections Code is amended to  
17 read:

18 11225. (a) Within 30 days from the date of filing of the  
19 petition, excluding Saturdays, Sundays, and holidays, if, from the  
20 examination of petitions pursuant to Section 11222, more than 500  
21 signatures have been signed on the petition, the elections official  
22 may use a random sampling technique for verification of signatures.  
23 The random sample of signatures to be verified shall be drawn in  
24 a manner so that every signature filed with the elections official  
25 shall have an equal opportunity to be included in the sample. The  
26 random sampling shall include an examination of at least 500 or  
27 5 percent of the signatures, whichever is greater.

28 (b) If the statistical sampling shows that the number of valid  
29 signatures is greater than 110 percent of the required number, the  
30 elections official shall certify the petition to be sufficient.

31 (c) If the statistical sampling shows that the number of valid  
32 signatures is within 90 to 110 percent of the number of signatures  
33 of qualified voters needed to declare the petition sufficient, the  
34 elections official shall examine and verify each signature filed. If  
35 the elections official's examination of each signature shows that  
36 the number of valid signatures is greater than the required number,  
37 the elections official shall certify the petition to be sufficient. If  
38 the number of valid signatures is less than the required number,  
39 the elections official shall certify the petition to be insufficient.

(d) If the statistical sampling shows that the number of valid signatures is less than 90 percent of the required number, the elections official shall certify the petition to be insufficient.

(e) In determining from the records of registration the number of valid signatures signed on the petition, the elections official may ~~use the any file or list of registered voters,~~ *check the signatures against facsimiles of voters' signatures*, provided that the method of preparing and displaying the ~~file or list~~ *facsimiles* complies with law.

(f) The elections official shall attach to the petition, a certificate showing the result of this examination, and shall notify the proponents of either the sufficiency or insufficiency of the petition.

(g) If the petition is found insufficient, no action shall be taken on the petition. However, the failure to secure sufficient signatures shall not preclude the filing later of an entirely new petition to the same effect.

(h) If the petition is found to be sufficient, the elections official shall certify the results of the examination to the governing body at its next regular meeting.

~~SEC. 84.~~

*SEC. 83.* Section 14202 of the Elections Code is amended to read:

14202. Before opening the polls, the precinct board shall post in separate, convenient places at or near the polling place, and of easy access to the voters, not less than two of the copies of the index to the affidavits of registration for that precinct. The copies of the index may be by street address in numerical order.

~~SEC. 85.~~

*SEC. 84.* Section 18104 of the Elections Code is amended to read:

18104. Any individual or organization having charge of affidavits of registration is guilty of a misdemeanor who knowingly neglects or refuses to return affidavits of registration as provided in Article 3 (commencing with Section 2135) of Chapter 2 of Division 2. The county elections official shall report to the district attorney of the county, under oath, the names of any individuals or organizations who have failed to return the affidavits. The district attorney shall take appropriate civil or criminal action.

1     ~~SEC. 86.~~

2     SEC. 85. Section 18109 of the Elections Code is amended to  
3 read:

4     18109. (a) It is a misdemeanor for a person in possession of  
5 information identified in Section 2138.5, or obtained pursuant to  
6 Article 5 (commencing with Section 2183) of Chapter 2 of Division  
7 2 of this code or Section 6254.4 of the Government Code,  
8 knowingly to use or permit the use of all or any part of that  
9 information for any purpose other than as permitted by law.

10    (b) It is a misdemeanor for a person knowingly to acquire  
11 possession or use of voter registration information from the  
12 Secretary of State or a county elections official without first  
13 complying with Section 2188.

14     SEC. 86. *(a) Section 27.5 of this bill incorporates amendments*  
15 *to Section 2150 of the Elections Code, as amended by Section 8*  
16 *of Chapter 1 of the Statutes of 2009, proposed by both this bill and*  
17 *Senate Bill 589. It shall only become operative if (1) both bills are*  
18 *enacted and become effective on or before January 1, 2016, (2)*  
19 *each bill amends Section 2150 of the Elections Code, and (3) this*  
20 *bill is enacted after Senate Bill 589, in which case Section 27 of*  
21 *this bill shall not become operative.*

22     ***(b) Section 28.5 of this bill incorporates amendments to Section***  
23 *2150 of the Elections Code, as amended by Section 3 of Chapter*  
24 *619 of the Statutes of 2014, proposed by both this bill and Senate*  
25 *Bill 589. It shall only become operative if (1) both bills are enacted*  
26 *and become effective on or before January 1, 2016, (2) each bill*  
27 *amends Section 2150 of the Elections Code, and (3) this bill is*  
28 *enacted after Senate Bill 589, in which case Section 28 of this bill*  
29 *shall not become operative.*

30     ***(c) Section 61.5 of this bill incorporates amendments to Section***  
31 *2208 of the Elections Code proposed by both this bill and Senate*  
32 *Bill 589. It shall only become operative if (1) both bills are enacted*  
33 *and become effective on or before January 1, 2016, (2) each bill*  
34 *amends Section 2208 of the Elections Code, and (3) this bill is*  
35 *enacted after Senate Bill 589, in which case Section 61 of this bill*  
36 *shall not become operative.*

37     ***(d) Section 62.5 of this bill incorporates amendments to Section***  
38 *2209 of the Elections Code proposed by both this bill and Senate*  
39 *Bill 589. It shall only become operative if (1) both bills are enacted*  
40 *and become effective on or before January 1, 2016, (2) each bill*

1 *amends Section 2209 of the Elections Code, and (3) this bill is*  
2 *enacted after Senate Bill 589, in which case Section 62 of this bill*  
3 *shall not become operative.*

4 *(e) Section 74.5 of this bill incorporates amendments to Section*  
5 *3019 of the Elections Code proposed by both this bill and Assembly*  
6 *Bill 477. It shall only become operative if (1) both bills are enacted*  
7 *and become effective on or before January 1, 2016, (2) each bill*  
8 *amends Section 3019 of the Elections Code, and (3) this bill is*  
9 *enacted after Assembly Bill 477, in which case Section 74 of this*  
10 *bill shall not become operative.*

11 SEC. 87. No reimbursement is required by this act pursuant to  
12 Section 6 of Article XIII B of the California Constitution for certain  
13 costs that may be incurred by a local agency or school district  
14 because, in that regard, this act creates a new crime or infraction,  
15 eliminates a crime or infraction, or changes the penalty for a crime  
16 or infraction, within the meaning of Section 17556 of the  
17 Government Code, or changes the definition of a crime within the  
18 meaning of Section 6 of Article XIII B of the California  
19 Constitution.

20 However, if the Commission on State Mandates determines that  
21 this act contains other costs mandated by the state, reimbursement  
22 to local agencies and school districts for those costs shall be made  
23 pursuant to Part 7 (commencing with Section 17500) of Division  
24 4 of Title 2 of the Government Code.

25 SEC. 88. (a) This act shall become operative only if the  
26 Secretary of State certifies that the state has a statewide voter  
27 registration database that complies with the requirements of the  
28 federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et  
29 seq.).

30 (b) *Notwithstanding subdivision (a), any of Sections 27.5, 28.5,*  
31 *61.5, 62.5, and 74.5 that becomes operative pursuant to Section*  
32 *86 shall become operative on January 1, 2016.*